



**CITY OF ONTARIO
DEVELOPMENT ADVISORY BOARD**

AGENDA

October 19, 2020

MEETING WILL BE HELD AT 1:30 PM VIA ZOOM

Scott Murphy, Executive Director, Community Development Agency
John Andrews, Executive Director, Economic Development
Rudy Zeledon, Planning Director
Khoi Do, City Engineer
Chief Michael Lorenz, Police Department
Fire Marshal Mike Gerken, Fire Department
Scott Burton, Utilities General Manager
Katryna Gonzalez, Housing Director

**SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC
PARTICIPATION AT CITY OF ONTARIO DEVELOPMENT ADVISORY BOARD
MEETINGS**

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Ontario DEVELOPMENT ADVISORY BOARD Meetings are being conducted via Zoom Conference and there will be no members of the public in attendance at the upcoming meeting of the City of Ontario Development Advisory Board. In place of in-person attendance, members of the public can observe and offer comment at this meeting remotely in the following ways:

TO VIEW THE MEETING:

- **VISIT THE CITY'S WEBSITE AT THE FOLLOWING ADDRESS:**
ontarioca.gov/agendas/dab

- **THE LINK FOR THE ZOOM CONFERENCE MEETING WILL BE LISTED AT THE WEBSITE ADDRESS ABOVE AT LEAST 72 HOURS BEFORE THE MEETING**

TO PROVIDE PUBLIC COMMENT:

1. **PROVIDE PUBLIC TESTIMONY DURING THE MEETING:** Submit your request to speak no later than 12:00 PM the day of the meeting by either (1) emailing your name, telephone number, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov or (2) by completing the Comment Form on the City's website at: ontarioca.gov/agendas/dab.
Comments will be limited to 5 minutes. If a large number of individuals wish to speak on an item, the Development Advisory Board Chairman may limit the time for individuals wishing to speak to 3 minutes in order to provide an opportunity for more people to be heard. Speakers will be alerted when their time is up, and no further comments will be permitted.
2. **COMMENT BY E-MAIL:** Submit your comments by email no later than 12:00 PM on the day of the meeting by emailing your name, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov . All comments received by the deadline will be forwarded to the Development Advisory Board for consideration before action is taken on the matter.
3. **COMMENT BY TELEPHONE:** Submit your comments by telephone no later than 12:00 PM on the day of the meeting by providing your name, agenda item you are commenting on, and your comment by calling (909) 395-2036. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.
4. **COMMENT BY MAIL:** To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Planning Department, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be actually received by the Planning Department no later than 12:00 PM on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the Development Advisory Board for consideration before action is taken on the matter.

LOCATION WHERE DOCUMENTS MAY BE VIEWED: All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.

PUBLIC COMMENTS

Citizens wishing to address the Development Advisory Board on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Development Advisory Board values your comments, the members cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

AGENDA ITEMS

For each of the items listed below the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Development Advisory Board may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

CONSENT CALENDAR ITEMS

A. MINUTES APPROVAL

Development Advisory Board Minutes of September 21, 2020, approved as written.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR

FILE NO. PDEV19-051: A Development Plan to construct one industrial building totaling 115,760 square feet on approximately 6.2 acres of land located at the southeast corner of Hellman Avenue and Eucalyptus Avenue, at 2440 East Eucalyptus Avenue, within the Business Park land use district of the West Ontario Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the West Ontario Commerce Center Specific Plan (File No. PSP16-002), for which an Environmental Impact Report (SCH# 2017041074) was certified by the City Council on July 3, 2018. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 0218-261-45 and 0218-261-46) **submitted by Ontario Land Ventures, LLC.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDEV19-051 (Development Plan)

Motion to Approve / Deny

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR

FILE NO. PDEV19-052: A Development Plan to raze an existing 2,800 square foot commercial building and construct a new 2,280 square foot drive-thru oil change building (Valvoline Oil Change) on 0.39-acre of land located on the northwest corner of Holt

Boulevard and Mountain Ave, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1010-522-10); **submitted by Henley Pacific SD LLC.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PDEV19-052** (Development Plan)

Motion to Approve / Deny

D. **ENVIRONMENTAL ASSESSMENT AND REVIEW FOR DEVELOPMENT PLAN**

FILE NO. PDEV20-015: A Development Plan to construct a 217,308 square foot addition, for warehouse and office uses, for an approved Development Plan (File No. PDEV17-057) for the construction of a 1,038,383 square feet industrial building (Total of 1,255,689 Sq. Ft.) on 64.1 acres of land, located on the southeast corner of Eucalyptus Avenue and Carpenter Avenue to the west, within the Planning Area 1 (Business Park) and Planning Area 2 (General Industrial) land use districts of the West Ontario Commerce Center Specific Plan. The environmental impacts of this project were analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074), certified by the City Council on July 3, 2018. This application is consistent with the EIR and introduces no new significant environmental impacts. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference. The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT. The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-261-40, 0218-261-41, 0218-261-42, 0218-261-43, 0218-261-44 and 0218-261-47) **submitted by Real Estate Development Associates, LLC**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PDEV20-015** (Development Plan)

Motion to Approve / Deny

E. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW**

FOR FILE NO. PMTT19-015: A Tentative Tract Map to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots, located at the northeast corner of La Avenida

Drive and Manitoba Place, within the proposed Low-Medium Density land use district of The Avenue Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-652-27) **submitted by Ontario Schaefer Holdings, LLC. Planning Commission action is required.**

1. **CEQA Determination**

Motion to recommend Approval/Denial of an Addendum to a previously certified EIR

2. **File No. PMTT19-015** (Tentative Tract Map)

Motion to recommend Approval/Denial

F. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT18-011 (TPM 20016) AND PDEV18-036:**

A Parcel Map (File No. PMTT18-011, TPM20016) to subdivide 85.6 acres of land into eight parcels to facilitate a Development Plan (File No. PDEV18-036) to construct three Industrial buildings totaling 1,447,123 square feet and five Business Park buildings totaling 105,624 square feet, located at the northeast corner of Merrill and Euclid Avenues, within the Industrial and Business Park land use districts of the Ontario Ranch Business Park Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with the Ontario Ranch Business Park Specific Plan, for which an Environmental Impact Report (SCH# 2019050018) was certified by the City Council on September 15, 2020. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03) **submitted by Euclid Land Venture, LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT18-011 (PM 20016)** (Tentative Parcel Map)

Motion to recommend Approval/Denial

3. **File No. PDEV18-036** (Development Plan)

Motion to recommend Approval/Denial

- G. **ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-018 AND PDEV19-059**: A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 numbered parcels in conjunction with a Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial and Light Industrial zoning districts. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-01) **submitted by submitted by Toscana Square, LLC c/o Orbis Real Estate Partners. Planning Commission action is required.**

1. **CEQA Determination**

Motion to recommend Approval/Denial of an Addendum to a previously certified EIR

2. **File No. PMTT19-018 (PM 20177)** (Tentative Parcel Map)

Motion to recommend Approval/Denial

3. **File No. PDEV19-059** (Development Plan)

Motion to recommend Approval/Denial

- H. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN REVIEW AND CONDITIONAL USE PERMIT FOR FILE NOS. PDEV20-012 AND PCUP20-009**: A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven), an ancillary drive-thru car wash and fueling station in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for a Type 20 ABC license (Off-Sale Beer and Wine) on 1.25 acres of land, located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial zoning district. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-01) **submitted by submitted by Toscana Square, LLC c/o Orbis Real Estate Partners.**

Planning Commission action is required.

1. CEQA Determination

Motion to recommend Approval/Denial of an Addendum to a previously certified EIR

2. File No. PCUP20-009 (Conditional Use Permit)

Motion to recommend Approval/Denial

3. File No. PDEV20-012 (Development Plan)

Motion to recommend Approval/Denial

- I. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-013:** A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.21 acres of land, located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial zoning district. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1083-361-01) **submitted by submitted by Toscana Square, LLC c/o Orbis Real Estate Partners. Planning Commission action is required.**

1. CEQA Determination

Motion to recommend Approval/Denial of an Addendum to a previously certified EIR

2. File No. PDEV20-013 (Development Plan)

Motion to recommend Approval/Denial

- J. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT20-001 AND PDEV20-001:** A Tentative Parcel Map (File No. PMTT20-001/TPM 20187) to subdivide 15.74 acres of land into 4 numbered parcels in conjunction with a Development Plan (File No. PDEV20-001) to construct 4 industrial buildings totaling 355,254 square feet located on the southeast corner of Grove Avenue and Francis Street within the Business Park land use designation of the Grove Avenue Specific Plan. The environmental impacts of this project were previously analyzed with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously

adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 113-451-14 & 113-451-27) **submitted by EBS Realty Partners, LLC. Planning Commission action is required.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT20-001 (PM 20187)** (Tentative Parcel Map)

Motion to recommend Approval/Denial

3. **File No. PDEV20-001** (Development Plan)

Motion to recommend Approval/Denial

If you wish to appeal a decision of the **Development Advisory Board**, you must do so within ten (10) days of the **Development Advisory Board** action. Please contact the **Planning Department** for information regarding the appeal process.

If you challenge any action of the **Development Advisory Board** in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the **Development Advisory Board** at, or prior to, the public hearing.

The next **Development Advisory Board** meets on **November 2, 2020**.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **October 15, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East “B” Street, Ontario.



CITY OF ONTARIO

Development Advisory Board

Minutes

September 21, 2020

BOARD MEMBERS PRESENT VIA ZOOM

Rudy Zeledon, Chairman, Planning Department
Kevin Shear, Building Department
Charity Hernandez, Economic Development Agency
Khoi Do, Engineering Department
Paul Ehrman, Fire Department
Ahmed Aly, Municipal Utilities Company
Emily Hernandez, Police Department

BOARD MEMBERS ABSENT

Elda Zavala, Housing and Neighborhood Preservation

STAFF MEMBERS PRESENT VIA ZOOM

Jeanie Aguilo, Planning Department
Gwen Berendsen, Planning Department
Maureen Duran, Planning Department
Miguel Sotomayor, Engineering Department
Alexis Vaughn, Planning Department

PUBLIC COMMENTS

No one responded via telephone. Mr. Zeledon stated there were no public comments via telephone, email or written correspondence prior to the meeting.

CONSENT CALENDAR ITEMS

- A. **APPROVAL OF MINUTES:** Motion to approve the minutes of the August 17, 2020, meeting of the Development Advisory Board was made by Mr. Aly; seconded by Mr. Ehrman; and approved unanimously by those present (5-0). Mr. Do and Ms. C. Hernandez recused themselves as they did not attend that meeting.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-010 (TM 20285) AND PDEV19-030:** A Tentative Tract Map (File No. PMTT19-010, TT 20285) to subdivide 8.57 acres of land into 11 numbered lots and 6 lettered lots, in conjunction with a Development Plan (File No. PDEV19-030) to construct 126 multiple-family dwellings generally located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), which was certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-302-01) **submitted by Patrick McCabe, Christopher Development Group, Inc. Planning Commission action is required.**

Applicant Patrick McCabe of Christopher Development Group, Inc., was present via telephone. Mr. Zeledon asked if he had any questions regarding the conditions. Mr. McCabe stated he only had questions for Engineering but would work with them before the Planning Commission meeting. He agreed to the conditions of approval.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File Nos. PMTT19-010 and PDEV19-030**, subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Aly; and approved unanimously by those present (7-0).

- C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-006:** A Development Plan to construct 226 single-family dwellings on 53.79 acres of land generally located at the northwest corner of Haven and Bellegrave Avenues, within Planning Areas 28 (Conventional Medium Lot) and 29 (Conventional Medium Lot) of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (File No. PSPA14-002, SCH #2004011009), certified by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 0218-321-17 and 0218-321-30) **submitted by Lennar Homes of California, Inc. Planning Commission action is required.**

Applicant Blaine Humbles of Lennar Homes of California, Inc., was present via telephone. Mr. Zeledon asked if he had any questions or concerns regarding the conditions. Mr. Humbles stated he did not and said he was in agreement with the conditions of approval.

There were no phone calls, emails, or written correspondence regarding this project. Mr. Zeledon then entertained a motion.

Motion recommending approval of **File No. PDEV20-006**, subject to conditions to the Planning Commission was made by Mr. Shear; seconded by Mr. Aly; and approved unanimously by those present (7-0).

There being no further business, the meeting was adjourned.

Respectfully submitted,



Maureen Duran
Recording Secretary



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV19-051

DESCRIPTION: A Development Plan to construct one industrial building totaling 115,760 square feet on approximately 6.2 acres of land located at the southeast corner of Hellman and Eucalyptus Avenues, at 2440 East Eucalyptus Avenue, within the Business Park land use district of the West Ontario Commerce Center Specific Plan; (APNs: 0218-261-45 and 0218-261-46) **submitted by Ontario Land Ventures, LLC.**

Part I—BACKGROUND & ANALYSIS

ONTARIO LAND VENTURES, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-051, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 6.2 acres of land located at 2440 East Eucalyptus Avenue, at the southeast corner of Hellman and Eucalyptus Avenues and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Business Park (0.6 FAR)	Business Park	West Ontario Commerce Center Specific Plan
<i>North</i>	Vacant	Medium-Density Residential (11.1-25 du/ac)	PA 5 (Multi-Family Attached)	Parkside Specific Plan
<i>South</i>	Vacant	Industrial (0.55 FAR)	Industrial	West Ontario Commerce Center Specific Plan
<i>East</i>	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	PA 1 (Conventional Small Lot – 5-9 du/ac)	Subarea 29 Specific Plan
<i>West</i>	Vacant	Business Park (0.6 FAR)	Business Park	West Ontario Commerce Center Specific Plan

(2) **Project Description:**

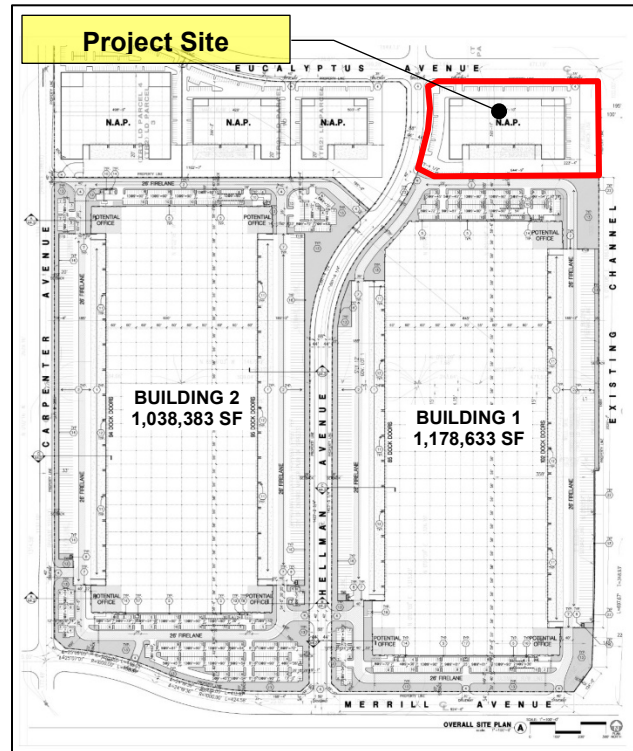
(a) Background — The West Ontario Commerce Center Specific Plan (119 acres) and the related Environmental Impact Report (EIR) were approved by the City Council on July 3, 2018. The Specific Plan established the land use designations, development standards, and design guidelines for West Ontario Commerce Center, which includes the potential development of up to 555,505 square feet of Business Park and 2,350,005 square feet of Industrial land uses, for a total potential buildout of 2,905,510 square feet.

In July 2018, a Development Plan was approved for the construction of two high-cube industrial buildings totaling 2,217,016 square feet, within phase 1 of the West Ontario Commerce Center (see Figure 1: File No. PDEV17-057 Site Plan). Additionally, in June 2020, an amendment to Building 2 was submitted (File No. PDEV20-015), which proposes a 217,360 square foot expansion to the north end of the building, which utilizes the adjacent vacant parcels that front on to Eucalyptus Avenue for additional office and off-street parking area.

On September 5, 2019, the Applicant submitted the subject application, a Development Plan proposing the construction of a 115,760 square foot warehouse/distribution building, with a max Floor Area Ratio of 0.43 percent, located at the northeast corner of the West Ontario Commerce Center, with street frontage on both Eucalyptus and Hellman Avenues.

(b) Site Design/Building Layout — The proposed building is oriented north, toward Eucalyptus Avenue (see Exhibit B—Site Plan, attached). Two offices areas have been proposed at the northwest and northeast corners of the building, thereby allowing for the building to accommodate more than one tenant, a yard area for truck parking, loading, and unloading is proposed on the south side of the building, facing the previously approved high-cube industrial buildings, which are currently under construction. The yard area will be screened from view from both Eucalyptus and Hellman Avenues by a combination of the building and screen walls with view-obstructing gates.

(c) Site Access/Circulation — Site access for trucks and passenger vehicles is provided from Hellman Avenue, to the west, and access from Eucalyptus Avenue, to the north, is provided for passenger vehicles. Vehicle circulation is provided completely around the building.



**Figure 1: File No. PDEV17-057 Site Plan
(West Ontario Commerce Center - Phase 1)**

(d) Parking — The Project has provided off-street parking pursuant to the Warehousing and Distribution parking standards specified in the West Ontario Commerce Center Specific Plan. The off-street parking calculations for the Project are as follows:

Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Warehousing and Distribution	115,760 SF	One space per 1,000 SF of GFA for first 20,000 square feet; 0.5 space per 1,000 SF of additional GFA, plus one tractor trailer parking space per four dock-high loading doors; plus required parking for general business offices and associated uses, when those uses exceed ten percent of the building GFA	68	72
TOTAL	115,760 SF		68	72

The project is required to provide a minimum of 68 off-street parking spaces, and 72 parking spaces have been provided, exceeding the minimum standards.

[a] Architecture — The proposed building will be of concrete tilt-up construction and designed to complement the previously-approved high-cube industrial buildings to the south (West Ontario Commerce Center Phase 1). Enhanced elements and treatments will be provided at the office entries and street-facing elevations (See Exhibit C—Exterior Elevations). Proposed architectural elements include smooth-painted concrete in grey and white tones with orange accents, horizontal and vertical reveals, windows with clear anodized mullions and blue glazing, use of formliners providing a plank finish, recessed panels with contrasting colors, and decorative metal canopies/eyebrows at the main windows. Mechanical equipment will be roof-mounted and obscured from public view by parapet walls. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code and West Ontario Commerce Center Specific Plan. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- Variations in building massing; and
- Incorporation of base and top treatments defined by changes in color and horizontal/vertical reveals.

(e) Landscaping — The West Ontario Commerce Center requires that the Project provide an overall landscape coverage of 15 percent for the Business Park land use district, and approximately eighteen percent has been provided, exceeding the minimum. The Project provides substantial landscape buffers along Hellman Avenue to the west, Eucalyptus

Avenue to the north, and along the channel to the east. Additionally, landscaping has been provided at the proposed office areas, and throughout the off-street parking areas (see Exhibit D—Landscape Plan).

The landscape plan incorporates a variety of 24 and 48-inch box street, shade, and decorative trees, including Western Redbud, Dougals and Coast Live Oaks, Afghan and Fern Pine, Chinese Pistache, African Sumac, and Brisbane Box. A variety of low-water use, and drought-tolerant shrubs and groundcovers are also proposed. Additionally, the building will incorporate one or two employee break areas with benches, tables, shade trees and/or a shade trellis.

(f) Signage — All building and freestanding signage will be consistent with the design guidelines of the Development Code, West Ontario Commerce, and any future sign program required, as determined by the Planning Director.

(g) Utilities (drainage, sewer) — The Project site's major off-site infrastructure improvements, such as drainage, water, and sewer, were previously installed as part of the parent tract map, TM 19738. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the Projects' compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground perforated retention system, located along the southern portion of the project site, with overflow drainage conveyed to a new storm drain connection to the south of the retention system.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the West Ontario Commerce Center Environmental Impact Report (State Clearinghouse No. 2017041074) was certified by the City Council on July 3, 2018 ("Certified EIR") in conjunction with File No. PSP16-002, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and act on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP16-002, the West Ontario Commerce Center Specific Plan for which an Environmental Impact Report (State Clearinghouse No. 2017041074) Certified EIR was adopted by the City Council on July 3, 2018; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required.

Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Business Park (0.6 FAR) land use district of the Policy Plan Land Use Map, and the Business Park zoning district of the West Ontario Commerce Center Specific Plan (“WOCC SP”). The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Business Park zoning district of the WOCC SP, including standards relative to the particular land use proposed (business park industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The WOCC SP requires that the buildings fronting onto main public rights-of-way are designed so as to be sensitive to any neighboring land uses. The building has been designed with a scale and massing appropriate for the location, and provides a logical transition to and buffer from the larger industrial buildings to the south of the project site; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and

impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the WOCC SP are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the WOCC SP. The project will provide landscaping and improvements upon the currently vacant property, and has been designed with particular attention to detail along the northern portion of the building, which fronts onto Eucalyptus Avenue; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the WOCC SP that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (business park industrial). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the WOCC SP. The Project has been specifically designed so as to be sensitive to future residential land uses to the north and has implemented an appropriate massing and level of design along the northern elevation, along Eucalyptus Avenue.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

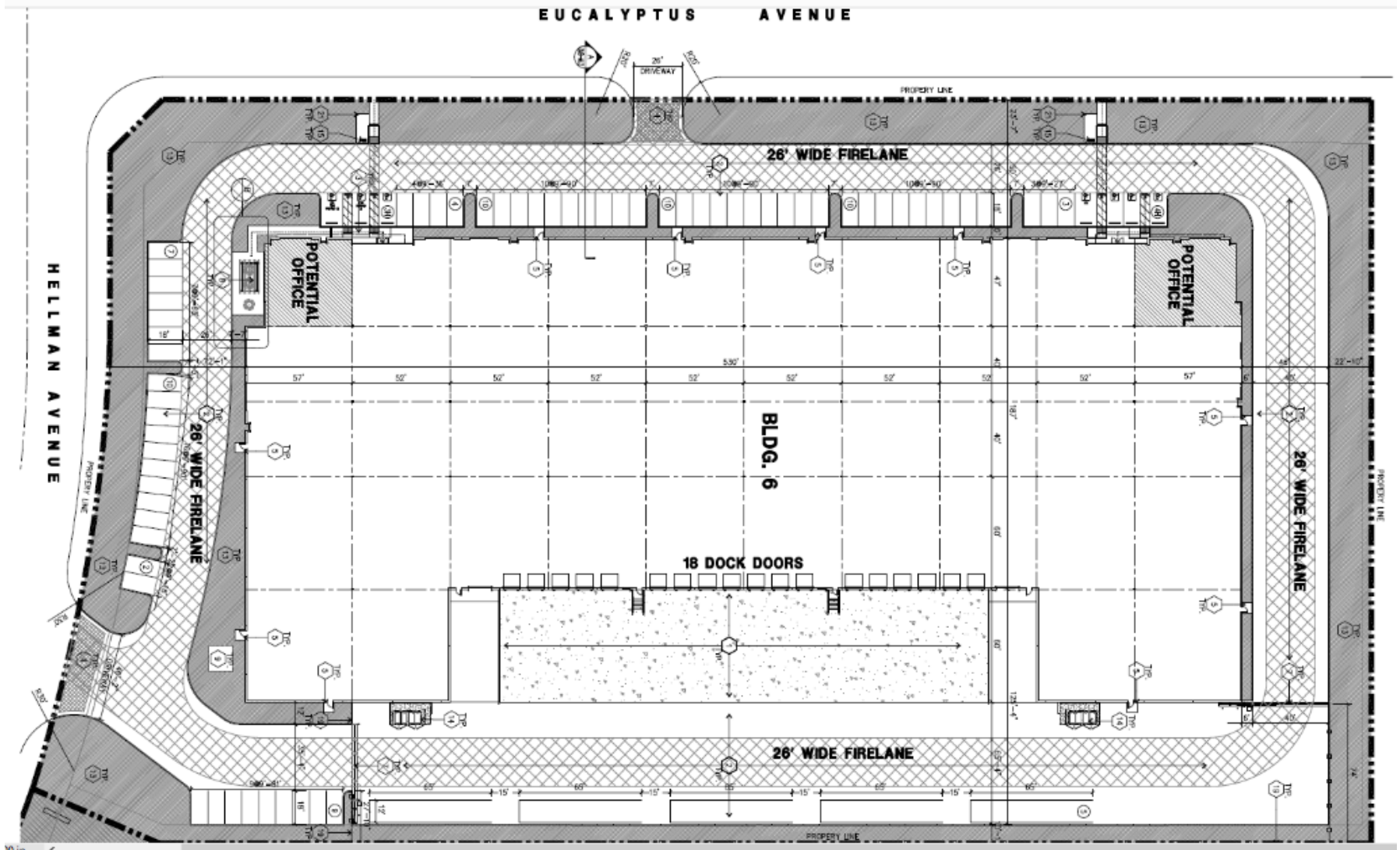
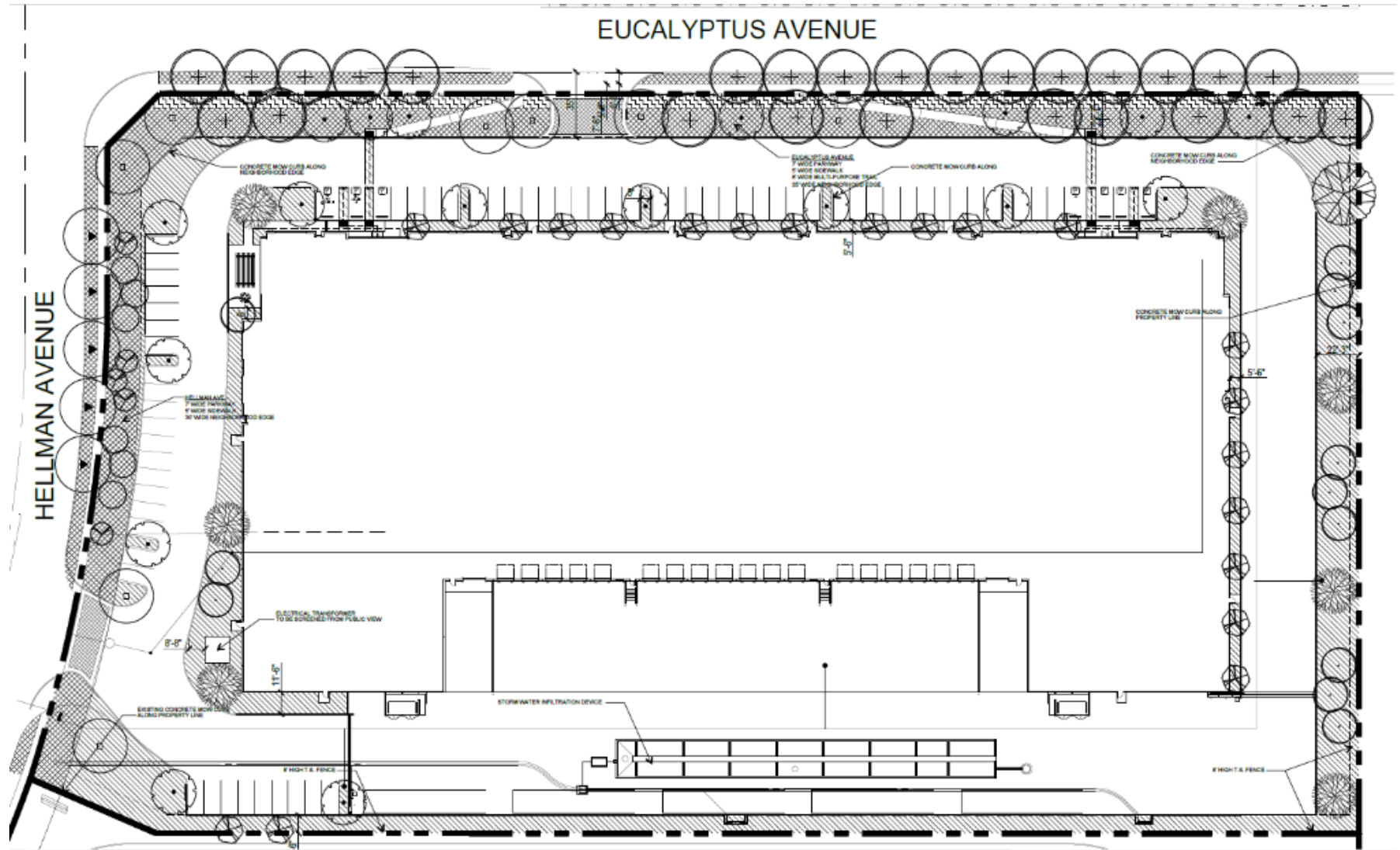


Exhibit C—EXTERIOR ELEVATIONS



Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PDEV19-051

Project Description: A Development Plan to construct one industrial building totaling 115,760 square feet on approximately 6.2 acres of land located at the southeast corner of Hellman Avenue and Eucalyptus Avenue, at 2440 East Eucalyptus Avenue, within the Business Park land use district of the West Ontario Commerce Center Specific Plan. (APNs: 0218-261-45 and 0218-261-46) **submitted by Ontario Land Ventures, LLC.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

(e) A primary outdoor break area shall be provided as shown on the entitlement plans (benches, tables, shade trellis structure), located adjacent to the northwest office area. Should the secondary office area become utilized by a tenant, a secondary minor break area shall be constructed adjacent to the northeast office area (benches, tables, shade tree).

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view with a decorative material compatible with the building architecture, pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP16-002, the West Ontario Commerce Center Specific Plan for which an Environmental Impact Report (State Clearinghouse No. 2017041074) was previously adopted by the City Council on July 3, 2018. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: September 09, 2019
SUBJECT: PDEV19-051

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. The Site addresses for this project will be as follows;
Bldg #3 2140 E Eucalyptus Ave
Bldg #4 2240 E Eucalyptus Ave
Bldg #5 2340 E Eucalyptus Ave
Bldg #6 2440 E Eucalyptus Ave
2. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: June 29, 2020

SUBJECT: PDEV19-051 – A Development Plan to construct four industrial buildings totaling 397,378 square feet on approximately 21 acres of land located at the southeast corner of Carpenter Avenue and Eucalyptus Avenue, within the Business Park land use district of the West Ontario Commerce Center Specific Plan (APNs: 0218-221-12, 0218-261-22, 0218-261-32, 0218-261-38, 0218-271-08, and 0218-271-13). Related Files: PMTT17-011 and PDA17-003.
(Revision 1)

-
- The plan **does** adequately address Fire Department requirements at this time.
- See previous report dated September 17, 2019, for conditions.
-



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: September 25, 2019

SUBJECT: PDEV19-051 – A DEVELOPMENT PLAN TO CONSTRUCT 4 INDUSTRIAL WAREHOUSE BUILDINGS LOACTED AT THE SOUTHEAST CORNER OF CARPENTER AVENUE AND EUCALYPTUS AVENUE.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

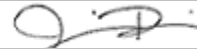
- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Each building shall have the corresponding address and suite if applicable.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

DAB CONDITIONS OF APPROVAL

Sign Off



08/24/2020

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV19-051

Case Planner:

Rudy Zeledon/Alexis Vaughn

Project Name and Location:

West Ontario Commerce
 SEC of Carpenter Ave and Eucalyptus Ave.

Applicant/Representative:

EPD Solutions Inc.
 2 Park Plaza, Suite 1120
 Irvine, CA 92614



A Preliminary Landscape Plan (dated 09/08/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/Site Plans

1. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
2. Show backflow devices set back 4' from paving all sides. Locate on level grade
3. Note corner ramp and sidewalk shall be installed per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept.
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
5. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
6. Grading plans identify a 6" – 6' high retaining wall at the ADA ramp along Eucalyptus Avenue. Reduce retaining wall to maximum of 4', if possible.
7. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can

be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

- 8. Break/outdoor space near the west entry; provide detail for trellis during plan check. Increase landscape areas to provide larger shade trees to this space. Provide a couple of benches either side of the east entry door.
- 9. Note: Overhead spray systems shall be designed for plant material less than the height of the spray head.
- 10. Note: 8' diameter of mulch only at trees (6' in smaller planter spaces). Detail irrigation dripline outside of mulched root zone.
- 11. Call out all fences and walls, materials proposed and heights (i.e.: retaining walls along Eucalyptus).
- 12. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 13. Provide phasing map for multi-phase projects.
- 14. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,791.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$600.00</u>
Total.....	\$3,391.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT

CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and ENVIRONMENTAL Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

DAB MEETING DATE: October 19th, 2020

PROJECT: PDEV19-051, a Development Plan to construct one industrial building (111,760 SF) on approximately 6.2 acres located at the southeast corner of Eucalyptus Avenue and Hellman Avenue within the West Ontario Commerce Center Specific Plan.

APN: 0218-261-45 & 0218-261-46

LOCATION: Southeast Corner of Eucalyptus Avenue and Hellman Avenue

PROJECT ENGINEER: Bryan Lirley, P.E., Principal Engineer (909) 395-2137

PROJECT PLANNER: Alexis Vaughn, Assistant Planner (909) 395-2416

The following items are the Conditions of Approval for the subject project:

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. Inherited Requirements and Conditions of Approval: This project is subject to all the Requirements and Conditions of Approval of the PMTT17-011 (PM-19738) West Ontario Commerce Center Specific Plan (PSP16-002).
3. The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department.
4. The applicant/developer shall clean up/merge/adjust the lot lines for Parcels 7 (0218-261-45) & 8 (0218-261-46) as per recorded Parcel Map 19738 to accommodate the revised site plan.
5. The applicant/developer shall ensure that a cross lot drainage blanket easement is established for the overall project(s) located within Parcel Map 19738.

6. Final Utility Systems Map (USM): This development project shall follow the PDEV19-051 Conceptual Utility Plan, dated 08/04/2020, and any deviation from this plan shall require the Utility Plan to be updated and resubmitted to OMUC for review and approval. The Conceptual Utility Plan shall be updated to meet all conditions and revised into a Final USM. A Final USM and shall be submitted for review and approval with the Precise Grading Plan. See *Utility Systems Map (USM) Requirements* document for details.

Potable Water Conditions:

7. Fire Flow Test: The applicant shall submit an application for a Fire Flow Test to the City's Fire Department.


Recycled Water Conditions:

8. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be install throughout the Tract to meet this requirement, as approved by the City.
9. RW Program Requirements: In order to receive RW service, the applicant shall comply with each of the following:
 - a. **Prior to Precise Grading Plan Approval and Building Permits Issuance:**
 - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - ii. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - iii. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
 - b. **Prior to Occupancy Release/Finalizing:**
 - i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

Solid Waste Comments:

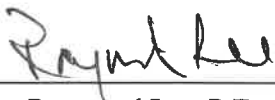
10. Final Solid Waste Handling Plan (SWHP): This development project shall follow the PDEV19-051 Conceptual Solid Waste Handling Plan, dated 8/12/20, and shall be updated to meet all conditions and revised into a Final SWHP. Prior to approval of the any building permits, a Final Solid Waste Handling Plan Sheet shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. See *Solid Waste Handling Plan (SWHP) Requirements* document for details.
 - a. Organics Separation and Collection: This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.

- b. At minimum this site requires a trash enclosure sized to store three 4-cubic-yard bins (one for refuse, one for recycling, and one for organics) for each potential office area of each building.
11. Final Integrated Waste Management Report (IWMR): The applicant shall submit a Final Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the *Integrated Waste Management Report Requirements* document.



Jesus Plasencia, P.E.
Senior Associate Civil Engineer

9/25/20
Date



Raymond Lee, P.E.
Assistant City Engineer

9/25/20
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-051

Address: SEC of Hellman Avenue & Eucalyptus Avenue

APN: 0218-221-12, 22, 32 & 38, 0218-271-08 & 13

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct 1 industrial warehouse buildings totaling 115,760 SF

Site Acreage: 6.2 Proposed Structure Height: 45 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT & Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 10/14/2020

CD No.: 2020-012

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: 110 FT

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino Airport, however additional information is required to complete the review.

Project Site was evaluated as part of CD2017-086 for PDEV17-057 and project evaluation and conditions are attached.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-057

Address: Southeast corner Eucalyptus Avenue & Carpenter Avenue

APN: 0218-261-16, 22, 23 & 32 and 0218-271-04, 08, 10, 13 & 18

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct two industrial buildings totaling 2,220,608 SF

Site Acreage: 129.64 Proposed Structure Height: 40 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 6/11/18

CD No.: 2017-086 Rev. 3

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft +</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: 110-130 ft

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The proposed project is located within the Airport Influence Area of Chino Airport and found to be consistent with the California Airport Land Use Planning Handbook provided the following conditions are met:

See Attached.

Airport Planner Signature: _____

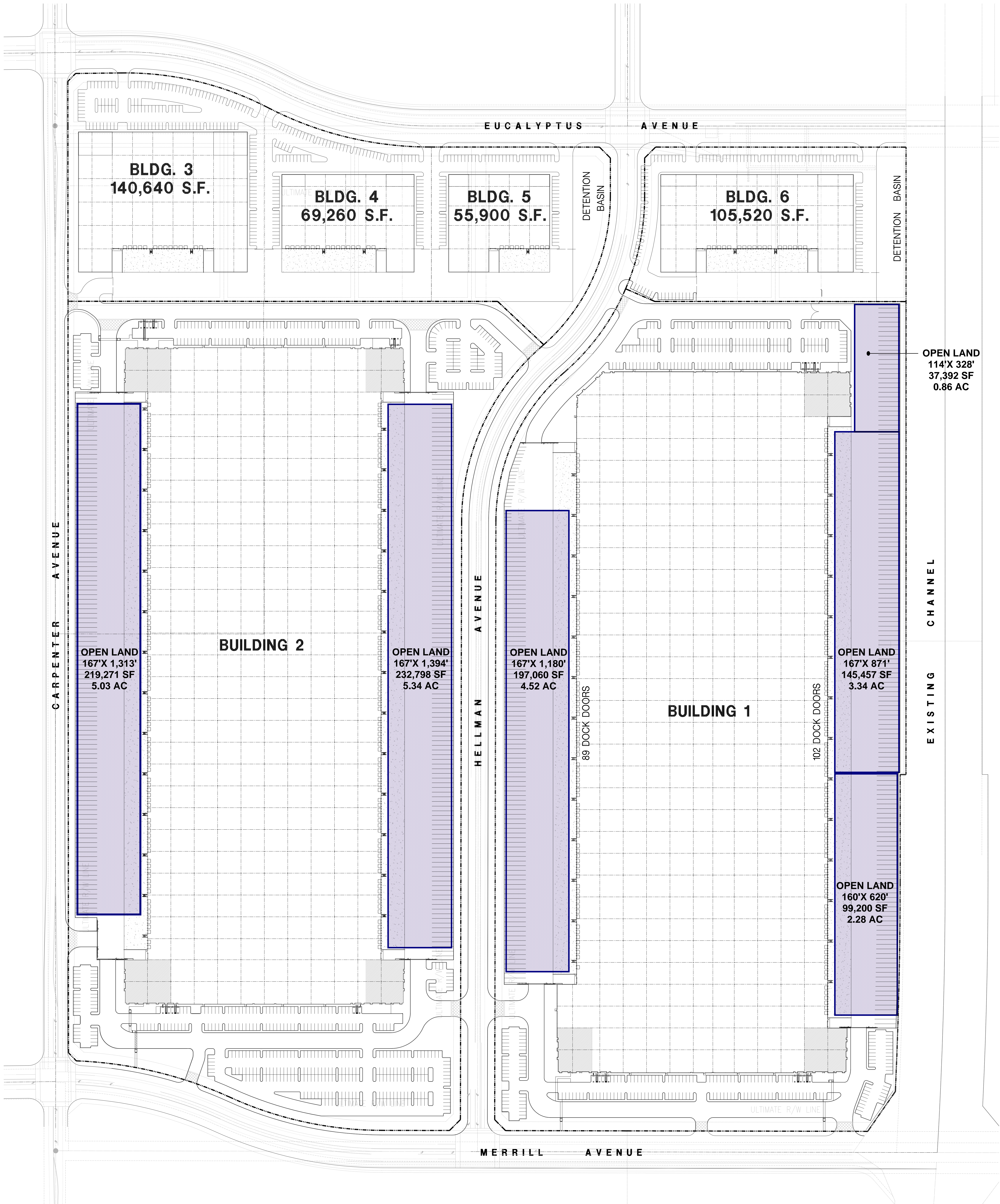
AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-086
PALU No.: _____

PROJECT CONDITIONS

1. The project will need to provide a minimum of 10% open land for the project net area of 129.6 acres, 12.9 acres of open land is required and 21.3 acres has been provided.
2. The attached open land exhibit identifies the interior truck yard as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be remain free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
3. Project is located within Safety Zone 6 and above ground storage of hazardous materials greater than 6,000 gallons is not allowed.



BLDG. 3
140,640 S.F.

BLDG. 4
69,260 S.F.

BLDG. 5
55,900 S.F.

BLDG. 6
105,520 S.F.

OPEN LAND
167'X 1,313'
219,271 SF
5.03 AC

BUILDING 2

OPEN LAND
167'X 1,394'
232,798 SF
5.34 AC

OPEN LAND
167'X 1,180'
197,060 SF
4.52 AC

BUILDING 1

89 DOCK DOORS

102 DOCK DOORS

OPEN LAND
167'X 871'
145,457 SF
3.34 AC

OPEN LAND
160'X 620'
99,200 SF
2.28 AC

OPEN LAND
114'X 328'
37,392 SF
0.86 AC

OPEN LAND AREA DATA TABLE

	BLDG (SF)	PARCEL (SF)	PARCEL (AC)	OPEN LAND (SF)	OPEN LAND (AC)	% OPEN LAND
TOTAL	2,220,608	4,273,513	98.1	931,178	21.3	21.8%



Development Advisory Board Decision

October 19, 2020

DECISION NO.:

FILE NO.: PDEV19-052

DESCRIPTION: A Development Plan to raze an existing 2,800 square foot commercial building and construct a new 2,280 square foot drive-thru oil change facility (Valvoline Oil Change) on 0.39-acre of land located at the northwest corner of Holt Boulevard and Mountain Avenue, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district; (APN: 1010-522-10) **submitted by Henley Pacific SD LLC**

Part I—BACKGROUND & ANALYSIS

HENLEY PACIFIC SD LLC, (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-052, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 0.39-acre of land located at the northwest corner of Holt Boulevard and Mountain Avenue, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district. The site is currently developed with a 2,800 square foot automotive repair building that is proposed to be razed to facilitate the construction of the proposed Project. The Project site is bordered by a commercial/retail building to the north, Mountain Avenue to the east, Holt Boulevard to the south, and auto repair buildings to the west, as depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Vacant Building	General Commercial	CC (Community Commercial)	N/A
North:	Retail Building	General Commercial	CC (Community Commercial)	N/A
South:	Automotive Repair	Business Park	IP (Industrial Park)	N/A
East:	Auto Retail Business	General Commercial	CC (Community Commercial)	N/A
West:	Auto Repair & Tire Shop Buildings	General Commercial	CC (Community Commercial)	N/A

(2) **Project Description:**

(a) Background — The Project site was previously developed with a service station (Hancock Oil Company) through the 1960s and most of the 1970s. The last business that occupied the subject property was Meineke Car Care Center, which ceased its operations in July 2015 (see Exhibit I—Site Photos, attached). On September 18, 2019, the Applicant submitted the subject Development Plan application, which requests approval to demolish the existing 2,800 square foot building on the Project site and construct a new 2,280 square foot building to accommodate a drive-thru oil change business (Valvoline Instant Oil Change), having a floor area ratio (“FAR”) of 0.13.

(b) Site Design/Layout — The proposed drive-thru oil change facility will be constructed towards the northeast corner of the subject property, 5 feet from the north property line, 33 feet from the east property line (Mountain Avenue), 29 feet from the south property line (Holt Boulevard), and 68 feet from the west property line. The employee and public parking area will be located along the west side of the project site, and two additional parking spaces will be provided at the southeast corner of the site (see Exhibit C—Site Plan, attached)

The proposed building consists of two floors, including a ground level and lower level. The ground level area includes three service bays, a multi-purpose room (wash and storage room), a lobby, an office, and two restrooms (see Exhibit D—Ground Level Floor Plan, attached). The lower level area, intended for employee access only, is located approximately 9 feet below the ground level and includes an employee changing room, locker room, and storage and tank room (see Exhibit E—Lower Level Floor Plan, attached).

(c) Site Access/Circulation — Access to the site is provided at two locations. A 27.8-foot wide driveway provides access from Holt Boulevard and a 34.4-foot wide driveway provides access from Mountain Avenue. All vehicles will enter the site through the Holt Boulevard access, which is limited to right-in and right-out only. Vehicles will exit the Project site by the Mountain Avenue driveway, after vehicles have been serviced, which is limited to right-out only. There will be “Exit Only” signs posted along the building’s east elevation in order to prevent vehicles from entering in the site from Mountain Avenue (see Exhibit C—Site Plan, attached).

(d) Parking — The Development Code off-street parking standards requires the project to provide a minimum of 7 off-street parking spaces. A total of 8 parking spaces have been provided, exceeding the minimum requirement.

(e) Architecture — The proposed architectural style features a contemporary commercial style, utilizing the following architectural treatments (see Exhibit B—Building Rendering and Exhibits G & H—Elevations, attached):

- Fine sand stucco panels;
- Clear Anodized Aluminum store front, with clear glazing;
- Mission Style concrete roof tiles, with stucco foam corbels on all four sides of the building;
- Pre-manufactured metal canopy, with clear anodized finish;
- Wall mounted green trellis panels along the building’s south elevation;
- Wall mounted decorative sconce lighting on the building’s east and west elevation and at key locations; and
- Decorative cultured stone (Coronado Stone) on all four sides of the building.

(f) Landscaping — The project provides landscaping along the Holt Boulevard and Mountain Avenue frontages, and along the site perimeter. The Development Code requires a minimum 15 percent landscape coverage for corner lots in the CC (Community Commercial) zoning district and 15 percent has been proposed. The landscape plan proposes a variety of new trees and drought tolerant ornamental grasses, shrubs, and ground covers throughout the site, and includes a mix of 15-gallon, 24-inch box, and 36-inch box trees, such as Western Redbud, Brisbane Box, and Crape Myrtle (see Exhibit F—Conceptual Landscape Plan, attached).

(g) Utilities (Drainage, Sewer) — Public utilities (water and sewer) are available to serve the Project. Additionally, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizing low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes a swale and pervious concrete (surfaces) on selected parking areas designed to accept runoff from building roofs, parking lots and Project roadways. Any overflow drainage will be conveyed to the surrounding streets.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (“DAB”) the responsibility and authority to review and on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to

jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on October 19, 2020 the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the decision-making body for the Project, the DAB has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA guidelines, which consists of projects characterized as infill development, and meets all the following conditions:

- The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations.
- The proposed development occurs within city limits, on a project site of no more than five acres and is substantially surrounded by urban uses.
- The Project site has no value as habitat for endangered, rare, or threatened species.
- Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality.
- The Project site can be adequately served by all required utilities and public services.

(2) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(3) The determination of CEQA exemption reflects the independent judgment of the DAB.

SECTION 2: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project

is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the specific findings set forth in Sections 1 through 3, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the General Commercial land use district of the Policy Plan Land Use Map, and the CC (Community Commercial) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained are consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The proposed drive-thru oil change facility (Valvoline Oil Change) will provide the area with an additional service, promoting a variety of land uses and building types in the area, per LU1-6 (Complete Community). Additionally, the project will be well landscaped, and will contribute to the overall streetscape along the northwest corner of Holt Boulevard and Mountain Avenue, per CD2-9 (Landscape Design) and CD3-6 (Landscaping); and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the CC (Community Commercial) zoning district, including standards relative to the particular proposed drive-thru oil change facility (Valvoline Oil Change), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The project

site is bordered by commercial uses to the north, east, south, and west. Furthermore, the proposed drive-thru oil change facility (Valvoline Oil Change) will not impose any privacy or view issues; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The DAB has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the CC (Community Commercial) zoning district are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the CC (Community Commercial) zoning district that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed. The project, as proposed, meets all design guidelines, including parking, landscaping, setbacks, FAR, fencing, noise and debris attenuation, and circulation. As a result of this review, the DAB has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the CC (Community Commercial) zoning district and the City's Development Code.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

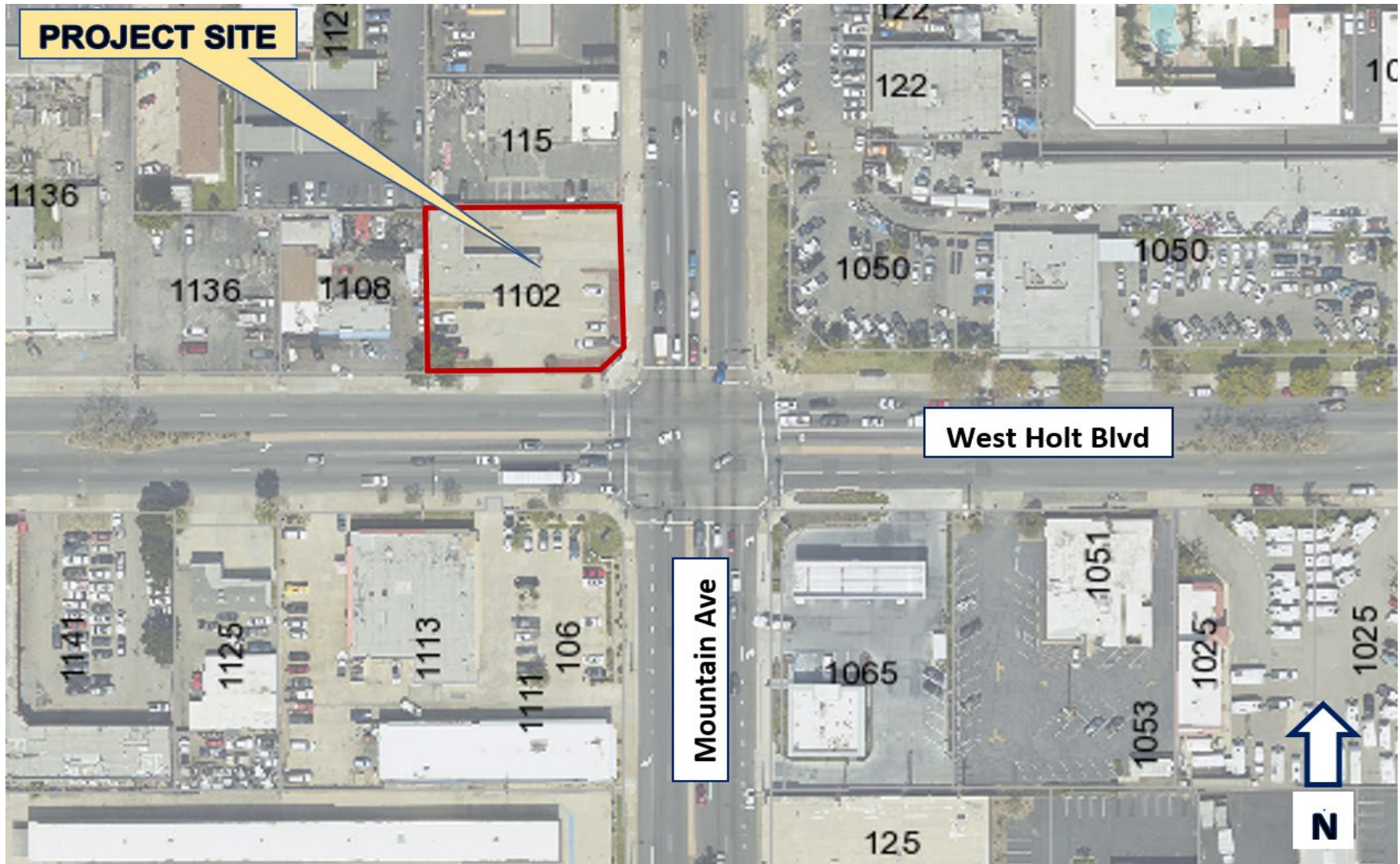


Exhibit B—BUILDING RENDERING



SOUTHEAST VIEW OF PROPOSED BUILDING

Exhibit C—SITE PLAN

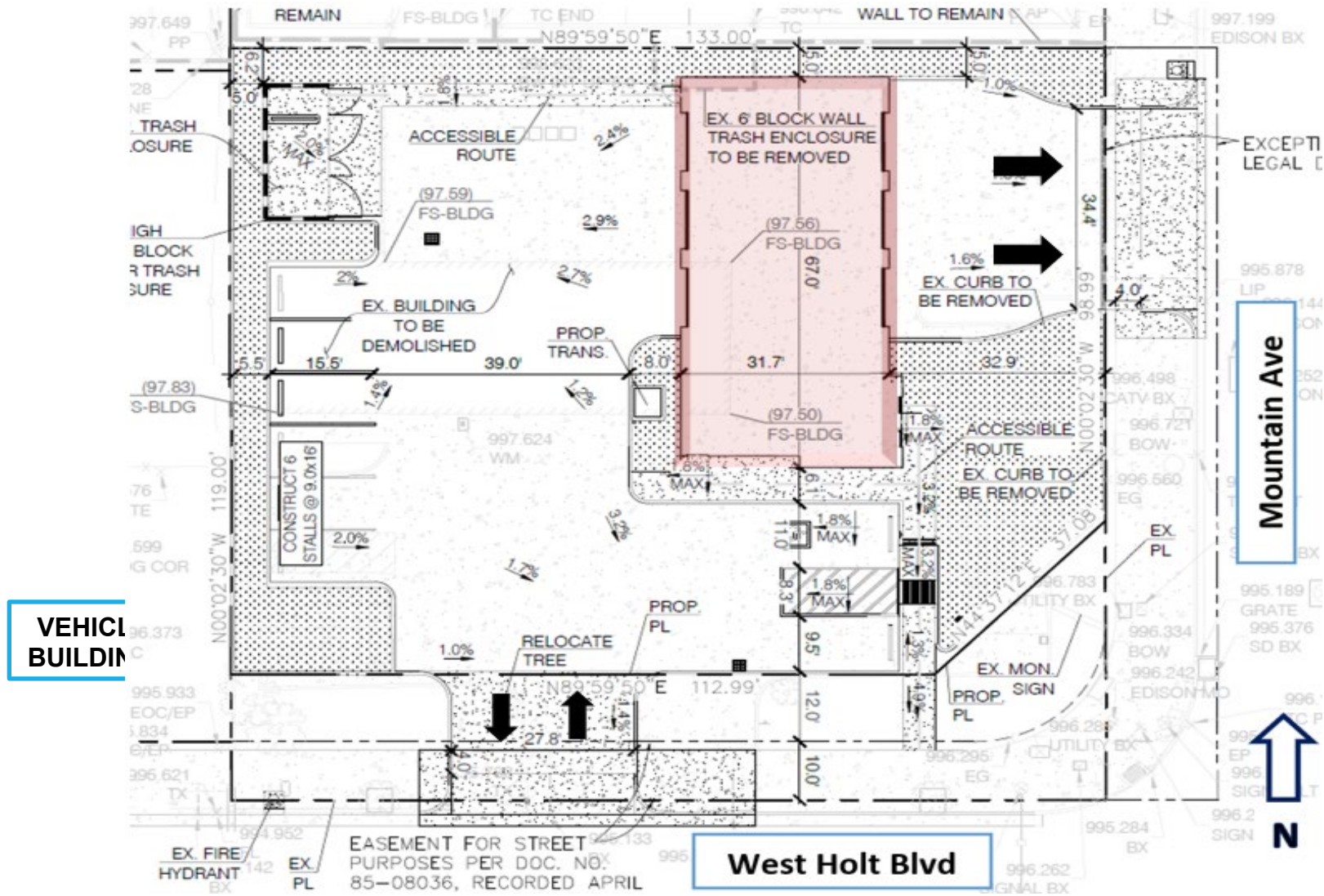
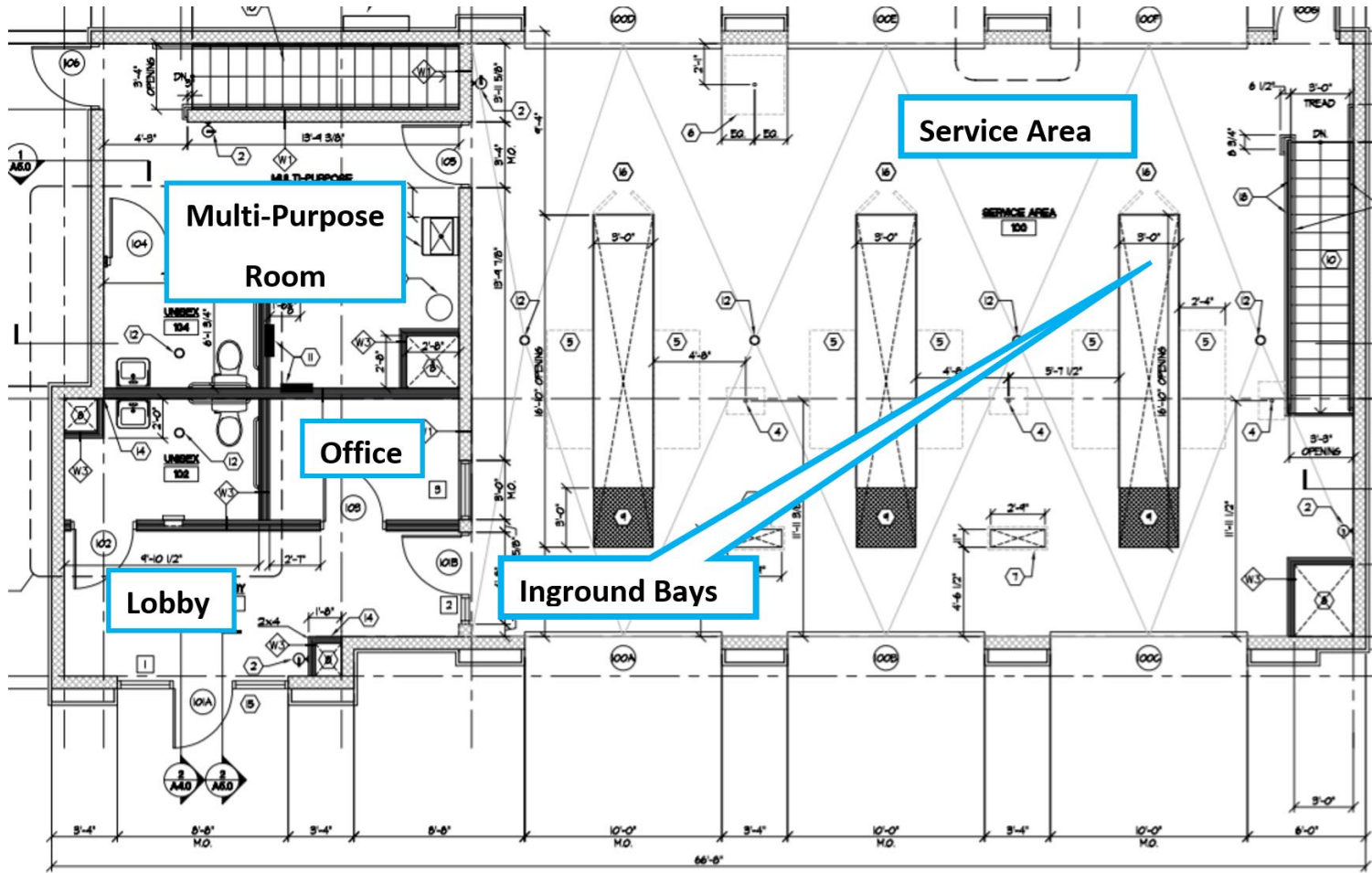


Exhibit D—GROUND LEVEL FLOOR PLAN



1 GROUND LEVEL FLOOR PLAN
SCALE 1/4" = 1'-0"

Exhibit E—LOWER LEVEL FLOOR PLAN

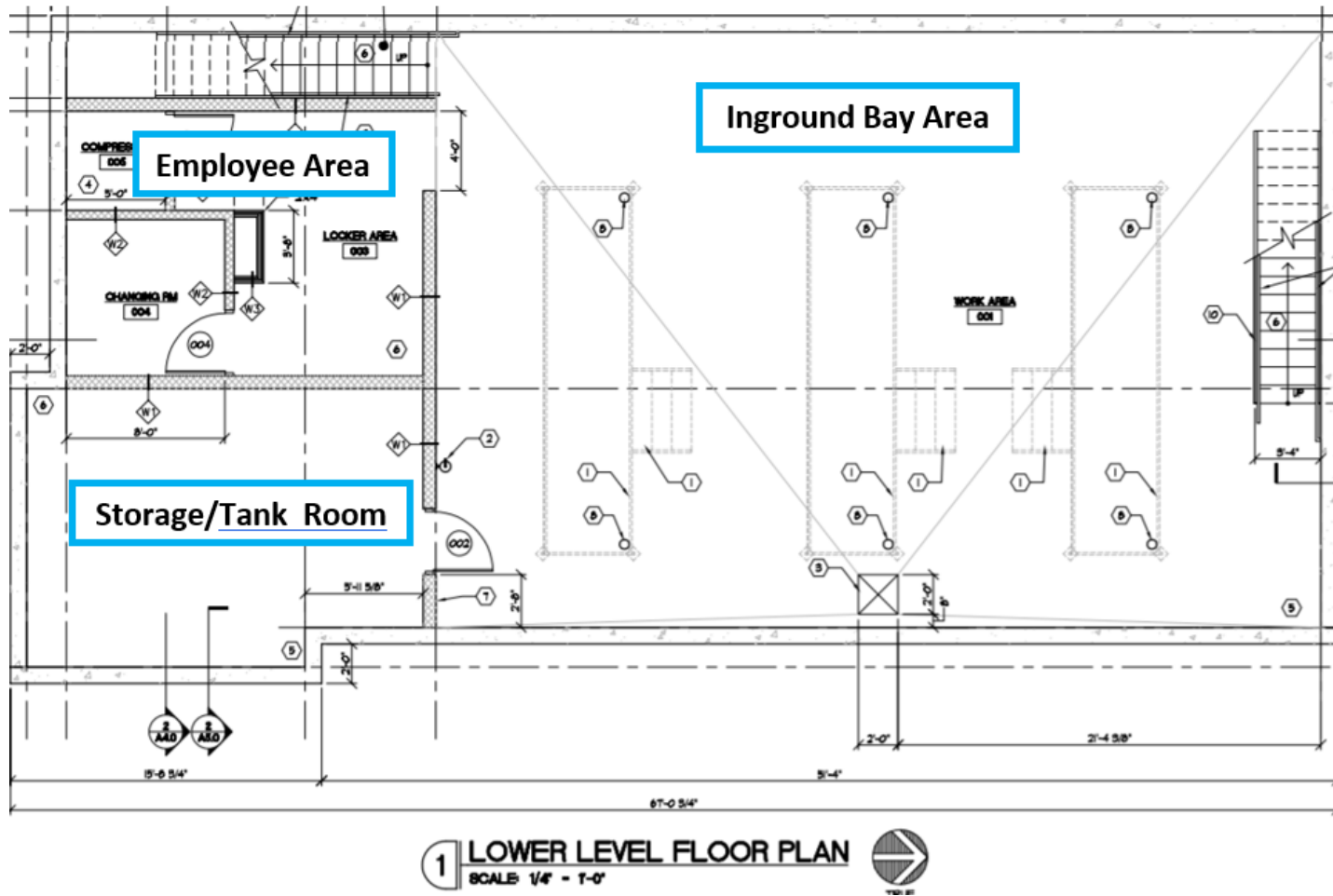
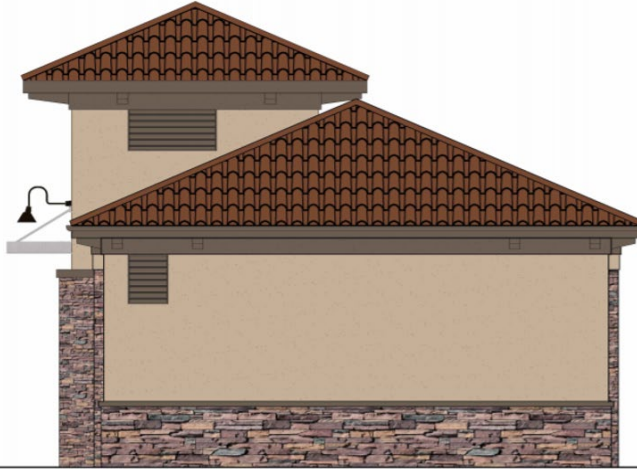


Exhibit F—CONCEPTUAL LANDSCAPE PLAN



Exhibit G—ELEVATIONS



NORTH ELEVATION



SOUTH ELEVATION

Exhibit H—ELEVATIONS



EAST ELEVATION



WEST ELEVATION

Exhibit I—SITE PHOTOS



NORTHWEST CORNER VIEW OF HOLT BLVD AND MOUNTAIN AVE

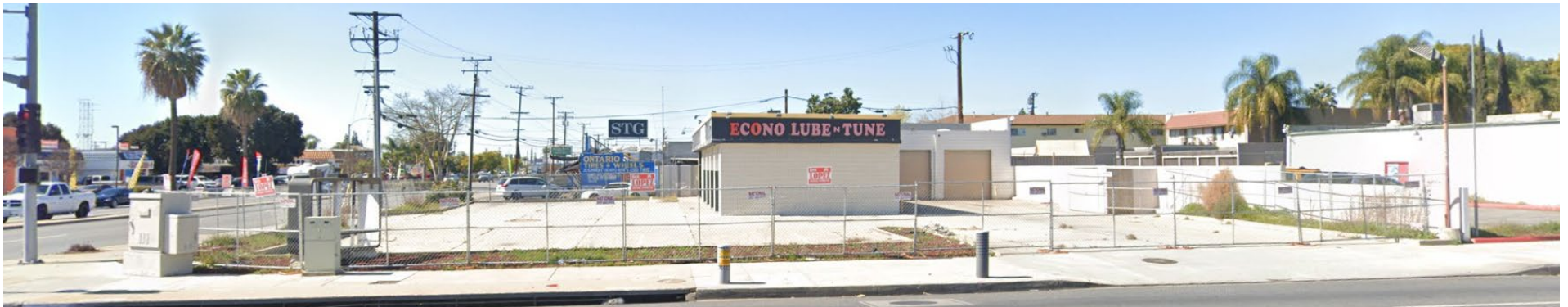


SOUTH VIEW OF PROJECT SITE (FROM HOLT BLVD)

Exhibit J—SITE PHOTOS



NORTHEAST VIEW OF EXISTING BUILDING TO BE DEMOLISHED



EAST VIEW OF PROJECT SITE (FROM MOUNTAIN AVE)

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File Nos: PDEV19-052

Project Description: A Development Plan to raze an existing 2,800 square foot commercial building and construct a new 2,280 square foot drive-thru oil change facility (Valvoline Oil Change) on 0.39-acre of land located at the northwest corner of Holt Boulevard and Mountain Avenue, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district; (APN: 1010-522-10) **submitted by Henley Pacific SD LLC**

Prepared By: Denny D. Chen, Associate Planner
Phone: 909.395.2424 (direct)
Email: dchen@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits. Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping. Comply with the conditions of approval of the Landscape Planning Division.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) A minimum of seven (7) off-street parking spaces shall be provided on-site for the project.

2.6 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.7 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all the following conditions:

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

(iii) The project site has no value as habitat for endangered, rare, or threatened species;

(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

(v) The Project site can be adequately served by all required utilities and public services.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.8 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.9 Additional Fees. After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.10 Additional Requirements.

(a) Applicant shall work with Planning Department staff during the plan check process, to ensure that all building elevations & architectural treatments are consistent with the approved building elevations. Provide a decorative cap at the top of the Coronado Stone located adjacent to the overhead rolling doors.

(b) Provide decorative (enhanced) paving on all drive approaches, along Holt Boulevard and Mountain Avenue. The decorative paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Provide vine pockets along the building's south elevation to allow vines to grow throughout the wall-mounted green screen trellis panels, to the satisfaction of the Planning Director.

(d) Applicant shall work with the Landscape Division staff, during the plan check process, to ensure that the proposed landscape plans are consistent with the approved Landscape Pallet and Landscape Division conditions of approval.

(e) The use of wall pack lighting shall be prohibited. Decorative lighting (e.g.: sconce lighting) or similar shall be used. Applicant shall provide cut sheets indicating the proposed type of lighting fixtures and lighting specifications during the plan check process.

(f) The metal canopy located on the building's east elevation shall project a minimum of 4 feet beyond the building face.

(g) "Do Not Enter" or "Exit Only" signs shall be posted on the building's east elevation and/or along the Mountain Avenue drive aisle area, in order to prevent vehicles from entering the service bays from the Mountain Avenue.

(h) A final site inspection shall be performed by the Planning Department prior to Building Department's final inspection.

(i) All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions Incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. <u>PDEV19-052</u> RELATED FILE NO(S). _____		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

CITY PROJECT ENGINEER & PHONE NO: Antonio Alejos (909) 395-2384

CITY PROJECT PLANNER & PHONE NO: Denny Chen (909) 395-2424

DAB MEETING DATE: October 19th, 2020

PROJECT NAME / DESCRIPTION: **PDEV19-052, a Development Plan to raze an existing 2,800-square foot commercial building and construct a new 2,280-square foot drive-thru oil change building (Valvoline Oil Change) on 0.39-acre of land.**

LOCATION: 1102 West Holt Boulevard

APPLICANT: Henley Pacific SD LLC

REVIEWED BY: *[Signature]* 10/8/20
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *[Signature]* 10-13-20
 Khol Do, P.E. Date
 City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s): _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
(1) _____
(2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.



- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map/Tract Map No. _____ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4th, 1972.
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.



- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
- State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: Non-Interference Letter required from each easement holder listed in the title report**
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- _____ feet on _____
- Property line corner 'cut-back' required at the intersection of _____
and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- _____
- 2.12 New Model Colony (NMC) Developments:
- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 **Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.**



- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$9,000, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
 - 1. **The applicant/developer shall provide a 10-ft temporary construction easement (TCE) along Holt Boulevard and Mountain Avenue property frontage to accommodate the Mountain Avenue & Holt Boulevard Intersection Widening Improvements.**



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Holt Bl	Mountain Av	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant (see Sec. 2.D)	<input type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> New Lateral w/ Monitoring Manhole & Clean-Outs	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> New Service for Domestic Use w/ Meter & Backflow <input checked="" type="checkbox"/> New Service for Irrigation Use w/ Meter & Backflow <input checked="" type="checkbox"/> New Service for Fire Use w/ DCDA	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Under sidewalk drain	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____



Specific notes for improvements listed in item no. 2.17, above:

1. **If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.**
 2. **Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.**
- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 12-inch sewer main is available for connection by this project in Mountain Avenue. (Ref: Sewer Drawing Number: S12381)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
1. **The applicant/developer shall install a new sewer lateral to the existing 12-inch public sewer main in Mountain Avenue and equip the lateral with a clean-out and monitoring manhole behind the property line per the latest City Design Guidelines/Standard Drawings.**
 2. **The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of the Wastewater Discharge Permit (<http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>)**

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
omucenvironmental@ontarioca.gov
Phone: (909) 395-2661



D. WATER

- 2.27 A 10-inch water main is available for connection by this project in Holt Boulevard & Mountain Avenue.
 (Ref: Water Drawing Number: W11152)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 1. The applicant/developer shall install a domestic water service to the existing 10-inch domestic water main in Holt Boulevard and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 2. The applicant/developer shall install a separate water service (for irrigation purposes only) to the existing 10-inch domestic water main in Holt Boulevard and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 3. The applicant/developer shall install a fire service to the existing 10-inch domestic water main in Holt Boulevard and equip a double check detector assembly (DCDA) to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
 4. The applicant/developer shall abandon the existing fire hydrant from the point of connection with the domestic water main in Holt Boulevard and install a new fire hydrant with a break-off check valve per City Standard Drawing Number 4101.
 5. The applicant/developer shall install a new fire hydrant, along the Mountain Avenue property frontage, with a break-off check valve per City Standard Drawing Number 4101.

E. RECYCLED WATER

- 2.30 A recycled water main is not available for connection by this project.
 (Ref: Recycled Water Drawing Number: None)
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
 - 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
 1. The applicant/developer shall construct all proposed driveway approaches per City Standard Drawing Number 1204.



2. The applicant/developer shall remove the existing sidewalk and construct new sidewalk at its ultimate location per City Standard Drawing Number 1209.
3. The applicant/developer shall install parkway trees/landscaping along Holt Boulevard and Mountain Avenue property frontage per the Landscape Planning Division Requirements.
4. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.
5. Mountain Avenue and Holt Boulevard shall be signed "No Stopping anytime".
6. The applicant/developer shall remove all hardscape (concrete, rocks, etc.) from the within the parkway landscape area along the entire property frontage per Landscape Planning Division Requirements.
7. If at the time of construction of PDEV19-052 the Mountain Avenue/ Holt Boulevard Intersection Widening Improvements have not been constructed, the Applicant/Developer shall be responsible to build interim frontage improvements along Mountain Avenue and Holt Boulevard necessary to accommodate the project site.
 - a. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting design plans.

G. DRAINAGE / HYDROLOGY

- | | | | |
|-------------------------------------|------|--|--------------------------|
| <input checked="" type="checkbox"/> | 2.38 | A 54-inch storm drain main is available to accept flows from this project in Mountain Avenue. (Ref: Storm Drain Drawing Number: <u>D11205</u>) | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.39 | Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.40 | An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.41 | Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.42 | Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.43 | Other conditions: _____ | <input type="checkbox"/> |

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- | | | | |
|--------------------------|------|--|--------------------------|
| <input type="checkbox"/> | 2.44 | 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. | <input type="checkbox"/> |
|--------------------------|------|--|--------------------------|



- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 **Other conditions:** _____

J. SPECIAL DISTRICTS

- 2.48 **File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.**
- 2.49 **Other conditions:** _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Generally located along Holt Boulevard and Mountain Avenue.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontariloca.gov/municipal-utilities-company/solid-waste>**
- 2.53 **Other conditions:**
 1. **The applicant/developer shall construct a new trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.**
 2. **The applicant/developer shall update the Conceptual Solid Waste Handling Plan and convert it into a Final Solid Waste Handling Plan Sheet, which shall be included with the Precise Grading Plan Submittal for review and approval by the City/OMUC. See "Solid Waste Handling Plan (SWHP) Requirements" document for details.**
 3. **The applicant/developer shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.**



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.**
- 3.02 Complete all requirements for recycled water usage.**
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.**
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PDEV19-052

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**

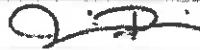


- 21. Payment for Final Map/Parcel Map processing fee
- 22. Three (3) copies of Final Map/Parcel Map
- 23. One (1) copy of approved Tentative Map
- 24. One (1) copy of Preliminary Title Report (current within 30 days)
- 25. One (1) copy of Traverse Closure Calculations
- 26. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 27. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 28. **Other:**
Three (3) copies of the Certificate of Compliance Form (include all items in the Certificate of Compliance Application Checklist)

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

09/24/20
 Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
 PDEV19-052

Case Planner:
 Denny Chen

Project Name and Location:
 Valvoline Instant Oil Change
 1102 W Holt Blvd
 Applicant/Representative:
 RSU Group, Inc. c/o Moni Dosanjh
 3187 Airway Ave., Unit A
 Costa Mesa, CA 92626

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 09/23/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in landscape areas shall not displace street trees.
2. Show transformers set back 5' from paving all sides. The current location shown is not providing appropriate setbacks. Coordinate with landscape plans.
3. Show backflow devices set back 4' from paving all sides. Locate on level grade
4. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
5. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners.
6. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
7. Dimension all planters to have a minimum 5' wide inside dimension.
8. Note on grading plans: for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
9. Add Note to Grading Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the

hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

- 10. Street trees for this project are: Holt Blvd. is Fraxinus angustifolia 'Raywood' and Mountain Ave. (choose one) Acacia willardiana, Maytenus boaria, or Cercis canadensis 'Oklahoma' per the Master Street Tree Plan.
- 11. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
- 12. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 13. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:
 - Plan Check—less than 5 acres.....\$1,561.00
 - Inspection—Construction (up to 3 inspections per phase).....\$600.00
 - Total.....\$2,161.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: August 06, 2020

SUBJECT: PDEV19-052 – A Development Plan to raze an existing 2,800-square foot commercial building and construct a new 2,720-square foot commercial building (Valvoline Oil Change) on 0.39-acre of land located on the northwest corner of Holt Boulevard and Mountain Ave, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district (APN: 1010-522-10).
(Revision 1)

-
- The plan **does** adequately address Fire Department requirements at this time.
- See previous report dated October 23, 2019, for conditions.
-



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: October 23, 2019

SUBJECT: PDEV19-052 – A Development Plan to raze an existing 2,800-square foot commercial building and construct a new 2,100-square foot commercial building (Valvoline Oil Change) on 0.39-acre of land located on the northwest corner of Holt Boulevard and Mountain Ave, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district (APN: 1010-522-10).

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 2,066 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 2,066 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): F

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finished) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Jamie Richardson, Landscape Planning Division
 Ahmed Aly, Municipal Utility Company
 Emily Hernandez, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Denny Chen, Associate Planner

DATE: July 28, 2020

REVISION NO. 1

SUBJECT: FILE #: PDEV19-052 Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

PROJECT DESCRIPTION: A Development Plan to raze an existing 2,800-square foot commercial building and construct a new 2,720-square foot commercial building (Valvoline Oil Change) on 0.39-acre of land located on the northwest corner of Holt Boulevard and Mountain Ave, at 1102 West Holt Boulevard, within the CC (Community Commercial) zoning district (APN: 1010-522-10).

The plan does adequately address the departmental concerns at this time.

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

POLICE
Department

E. HERNANDEZ
Signature

POLICE OFFICER
Title

8/19/20
Date

E.H. 8/19/2020



CITY OF ONTARIO

MEMORANDUM

TO: Denny Chen, Associate Planner

FROM: Officer Emily Hernandez, Police Department

DATE: October 15, 2019

SUBJECT: PDEV19-052 – A DEVELOPMENT PLAN TO DEMOLISH ONE EXISTING 2,800 SQUARE FOOT BUILDING AND CONSTRUCT ONE 2,066 SQUARE FOOT COMMERCIAL BUILDING LOCATED AT 1102 WEST HOLT BOULEVARD.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

In addition, the Ontario Police Department places the following conditions on the project:

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, and all cash registers. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.

- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: July 29, 2020
SUBJECT: PDEV19-052

- The plan **does** adequately address the departmental concerns at this time.
- No comments
- Report below.
-

Conditions of Approval

1. See previous report for Conditions.

KS:lr

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Denny Chen
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: September 20, 2019
SUBJECT: PDEV19-052

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-052
 Address: 1102 W Holt Blvd.
 APN: 1010-552-10
 Existing Land Use: Commercial Vacant Building
 Proposed Land Use: Development Plan to demolish the existing building and construct a 2,066 SF commercial building and
 Site Acreage: 0.39 Proposed Structure Height: 28 FT
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Denny Chen
 Date: 11/6/19
 CD No.: 2019-066
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 170 FT	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____



DEVELOPMENT ADVISORY BOARD DECISION

October 19, 2020

DECISION NO.:

FILE NO.: PDEV20-015

DESCRIPTION: A Development Plan to construct a 217,308 square foot addition, for warehouse and office uses, for an approved Development Plan (File No. PDEV17-057) for the construction of a 1,038,383 square feet industrial building (Total of 1,255,689 Sq. Ft.) on 64.1 acres of land, located on the southeast corner of Eucalyptus Avenue and Carpenter Avenue to the west, within the Planning Area 1 (Business Park) and Planning Area 2 (General Industrial) land use districts of the West Ontario Commerce Center Specific Plan. APNs: 0218-261-40, 41, 42,43, 44 and 47) submitted by Ontario Land Ventures, LLC. **submitted Real Estate Development Associates, LLC**

RELATED FILE: PDEV17-057

PART I: BACKGROUND & ANALYSIS

REAL ESATE DEVELOPMENT ASSOCIATES, LLC, (herein after referred to as "Applicant") has filed an application requesting Development Plan approval, File No. PDEV20-015, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) Project Setting: The project site is comprised of approximately 64.1 acres of land. The project site is bounded by Eucalyptus Avenue to the north, Hellman Avenue to the east, Merrill Avenue to the south, and Carpenter Avenue to the west, and is depicted in Exhibit A: Aerial Photograph, attached. The project site gently slopes from north to south and has been graded for the construction the approved 1,038,383 square foot industrial building.

Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Mass Graded	Industrial	West Ontario Commerce Center Specific Plan	General Industrial
<i>North</i>	Agriculture	Medium Density Residential	Parkside Specific Plan	Medium Density Residential
<i>South</i>	Agriculture	Industrial	Colony Commerce Center West Specific Plan	Industrial

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>East</i>	Industrial	Industrial	West Ontario Commerce Center Specific Plan	General Industrial/Business Park
<i>West</i>	Agriculture/Dairy	Business Park/Industrial	Specific Plan/ Agriculture (SP(AG))	n/a

(2) Project Description: On July 24, 2018, the Planning Commission approved a Development Plan (File No. PDEV17-057) for the construction of a 1,038,383 square-foot warehouse/distribution building. To accommodate a specific tenant, the applicant is requesting approval of a Development Plan (File No. PDEV20-015) to construct a 217,308 square foot addition, for warehouse and office uses (**Exhibit C: Development Site Plan**) within Planning Areas 1 (Business Park) and 2 (General Industrial) of the West Ontario Commerce Center Specific Plan.

The West Ontario Commerce Center Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on July 3, 2018. The West Ontario Commerce Center Specific Plan established the land use designations, development standards, and design guidelines for 119 acres of land, which includes the potential development of 2,905,510 square feet of industrial development (**Figure 1: Specific Plan Land Use Summary Table below and Exhibit B: Specific Plan Land Use Map**).

Planning Area	Zoning District	Ontario Plan Land Use Designation	Existing Acreage (Net)	Maximum SF per Existing TOP (The Ontario Plan)	Proposed Acreage	Maximum SF per Proposed
1	AG Specific Plan	Business Park (0.6 FAR)	61	1,600,933	21	555,505
2	AG Specific Plan	Industrial (0.55 FAR)	58	1,391,641	98	2,350,005
TOTAL			119	2,992,634	119	2,905,510

The project proposes the construction of a 217,308 square foot office and warehouse addition to an approved 1,038,383 square foot industrial building, for a total of 1,255,689 square feet. The 217,308 square foot addition will include 145,866 square feet of warehouse space, a 64,643 square foot main office (1st floor 33,892 SF and 2nd floor 30,715 SF) and a 6,797 square foot office/gym. The building is orientated north to south with cross-dock loading areas facing east and west. The 217,308 square foot addition is proposed at the north portion of the building (**see Exhibit C: Site Plan Use and Exhibit D: Floor Plan**). The main office area will be located within Business Park (PA-1) land use district, with the warehouse portion within the Industrial land use district (PA-2) of the West Ontario Commerce Center Specific Plan.

The office addition will provide for a campus like setting with expansive landscape and pedestrian walkways. Access to the project site for visitors and employees will be provided from a drive access on Eucalyptus Avenue at the northwest area of site and from Merrill Avenue along the southern portion of the site. Access to truck loading areas will be provided by two drive approaches along Carpenter Avenue and two drive approaches along Hellman Avenue. A 26-foot wide fire emergency access lane will be provided around the entire building.

The proposed office/warehouse addition will have a minimum setback of 425 feet from Eucalyptus Avenue, 149-feet along Merrill Avenue, 145-feet along Carpenter Avenue, and 150-feet along Hellman Avenue. The loading areas along Carpenter Avenue and Hellman Avenue frontages will be screened by a 14-foot tall concrete tilt-up screen. The finished grade within the eastern and western truck loading areas, will be approximately 6-feet below the street finished grade along Carpenter Avenue and Hellman Avenue. Therefore, only an 8-foot portion of the 14-foot wall will be exposed to public view. The screen wall will be designed to complement the architecture of the building.

Parking:

As demonstrated in the parking table below, the project is required to provide a total 637 vehicular parking spaces and 46 trailer parking spaces. The project is proposing 680 vehicular parking spaces and 146 trailer parking spaces.

PARKING TABLE SUMMARY						
Type of Use	Building Area	Dock Doors	Parking Ratio	Spaces Required	Spaces Provided	TOTAL
			Proposed Parking			
	Building 1					
Warehouse / Distribution	1,255,689		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	637	680	- 43
Trailer Truck Parking		184	1 space for every 4-dock high door	46	146	+ 100

Landscape:

The West Ontario Commerce Center Specific Plan requires the project to provide a 10% landscape coverage. The project site, including the proposed 217,308 square foot addition, will provide 25% landscape coverage, well above the 10% requirement. Landscaping will be provided in the form of a minimum 63-foot landscape setback along Carpenter Avenue, a 23-foot landscape setback along Merrill Avenue (including an 8-foot multipurpose trail), and an 18-foot landscape setback along Hellman Avenue. A 9-foot wide parkway (4-foot landscaped area and 5-foot sidewalk) will be provided along Carpenter Avenue. A 12-foot wide parkway (7-foot landscaped area and 5-foot sidewalk) will be provided along Merrill Avenue and Hellman Avenue. In addition to the landscape areas on the site, portions of the east and west truck court areas of the building will be utilized as infiltration areas (underground detention systems) to comply with the National Pollutant Discharge Elimination System (NPDES) requirement (*see Exhibit E: Landscape Plan*).

Landscaping in the form of turf, ground cover, shrubs and trees will also be provided along the interior parking lot areas of the building, to further enhance the project. The office entry areas will

feature large landscape areas. The proposed office addition will feature an open turf campus area with California friendly plant material and grasses with large canopy shade trees and walkways in a campus like setting. In addition, an employee break area with tables, will be incorporated adjacent to the west of the office addition. The outdoor break area will feature accent planting, accent shade trees and decorative weather resistant outdoor furniture.

Architecture:

The proposed 217,308 square foot addition will be constructed of concrete tilt-up consistent with the contemporary modern architectural style of the previously approved industrial building. The project is consistent with the West Ontario Commerce Center Specific Plan design guidelines and the Development Code - Industrial Design Guidelines (Reference F). The proposed office and warehouse addition are consistent with the overall scale and massing of the approved warehouse building (*see Exhibit F: Building Elevations*). Special attention has been given to the design of the office addition and the use of colors, massing, building form, materials and architectural details. This is exemplified through the use of:

- Articulated office area with extensive use of glazing (reflective glazing) and clear anodized mullions on the storefronts, vertical key panels, and unique metal shed roof that functions as a key architecture element;
- Incorporation of vertical and horizontal reveal patterns, spandrel window glazing and varying color pallet scheme on all elevations; and
- Detailed concrete tilt-up screen walls and pilasters with vertical and horizontal reveals patterns and color scheme that complement the architectural design of the building.

PART II: RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this project were analyzed in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) EIR (SCH#2017041074), that was adoption and certified by the City Council on July 3, 2018. This application is consistent with the EIR and introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board ("DAB") the responsibility and authority to review and act, or make recommendation to the Planning Commission, on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix; and

WHEREAS, on July 24, 2018, the Planning Commission approved the related Tentative Parcel Map (File No. PMTT17-011/TPM 19738) to subdivide 119.31 acres of land into 9 parcels within Planning Areas 1 and 2 of the West Ontario Commerce Center Specific Plan Development Plan Application (File No. PDEV17-057); and

WHEREAS, the proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT; and

WHEREAS, on October 19, 2020 the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

PART III: THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: As the decision-making body for the Project, the DAB has reviewed and considered the information contained in the West Ontario Commerce Center Specific Plan (File No. PSP16-002) Environmental Impact Report (SCH#2017041074) and supporting documentation. Based upon the facts and information contained in the EIR and supporting documentation, the DAB finds as follows:

(1) The approved Environmental Impact Report (EIR) prepared for File No. PSP16-002 contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the Development Advisory Board; and

(4) All EIR adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by this reference.

SECTION 2: Based upon the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the EIR that will require major revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the EIR was prepared, that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was adopted/certified, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the specific findings set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Development Plan is located within the Industrial land use district of the Policy Plan Land Use Map, and within the General Industrial (Planning Area 2) of the West Ontario Commerce Center Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Areas 1 and 2 of the West Ontario Commerce Center Specific Plan, including standards relative to the particular land use proposed (Industrial), as well as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The proposed development has been designed to maximize the subject property, in addition, the proposed development will comply with all the setbacks, parking and landscape requirements for the zone. The proposed project is not requesting any variances, therefore, it complies with all the Specific Plan development requirements. The development and design of the project will enhance the surrounding neighborhood and add value to current site and adjacent developments. In addition, all the City departments such as traffic, police, engineering, utilities, planning and

building and safety have reviewed the proposed development and they are in support of the project subject to the attached conditions of approval; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan. The proposed location of the Project, and the proposed conditions under which it will be constructed and maintained, is consistent with the Policy Plan component of The Ontario Plan and the City's Development Code. In addition, an Environmental Impact Report (EIR) was prepared for the project under File No. PSP16-002, and all the mitigation measures for any impacts were identified and adopted by City Council. No new impacts are anticipated as a result of the proposed development; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code or applicable Specific Plan.*** The proposed project has been reviewed for consistency with the development standards contained in the City of Ontario Development Code and West Ontario Commerce Center Specific Plan, which are applicable to the Project, including those related to the industrial land use being proposed, as well as building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls. With approval of the Building 1 – Alternative 1 Parking Site Plan, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code and the West Ontario Commerce Center Specific Plan requirements.

SECTION 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the DAB hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 5: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 19, 2020.

Development Advisory Board Chairman

Exhibit A: Aerial Photograph

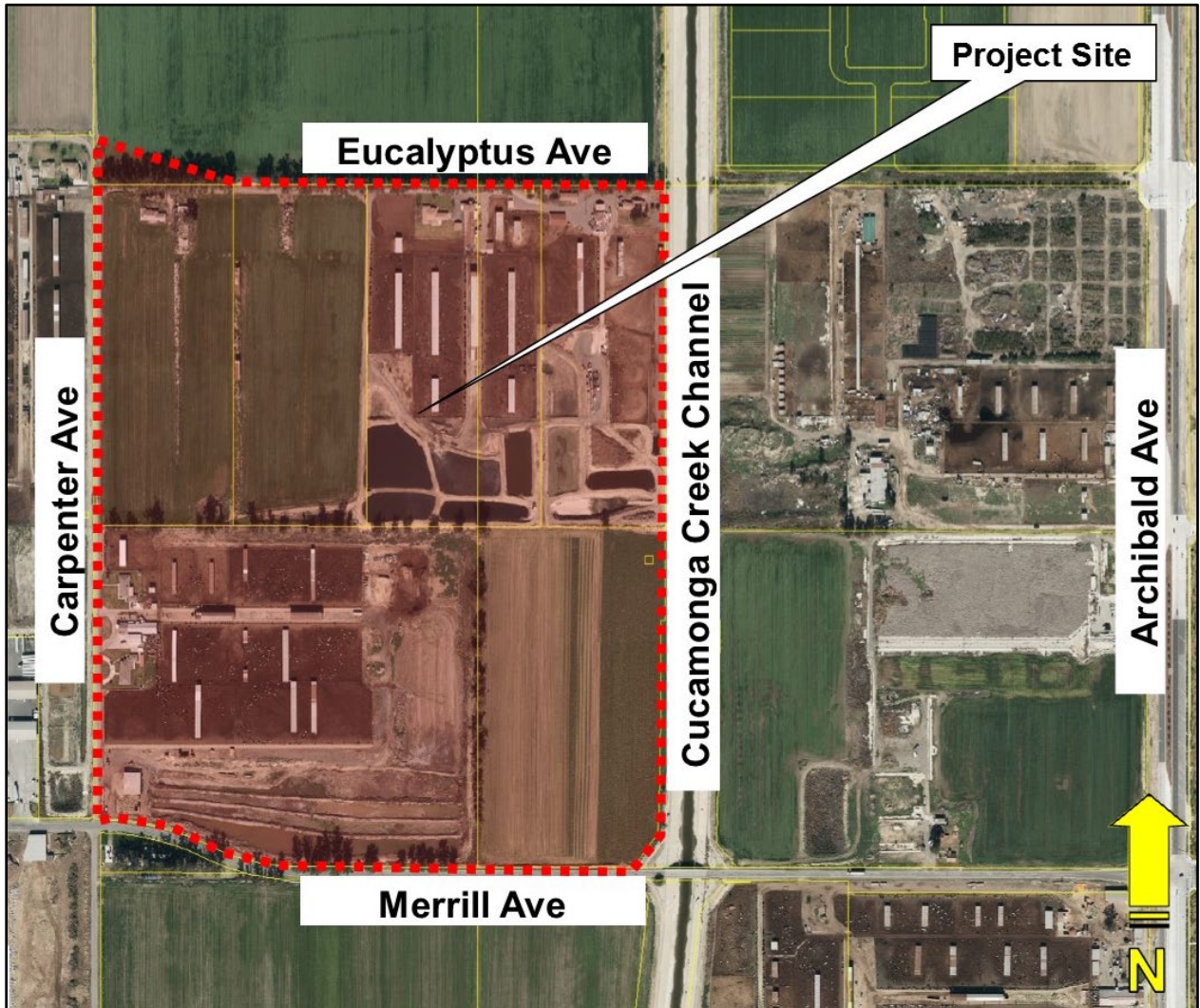


Exhibit B: West Ontario Commerce Center Specific Plan Land Use Map

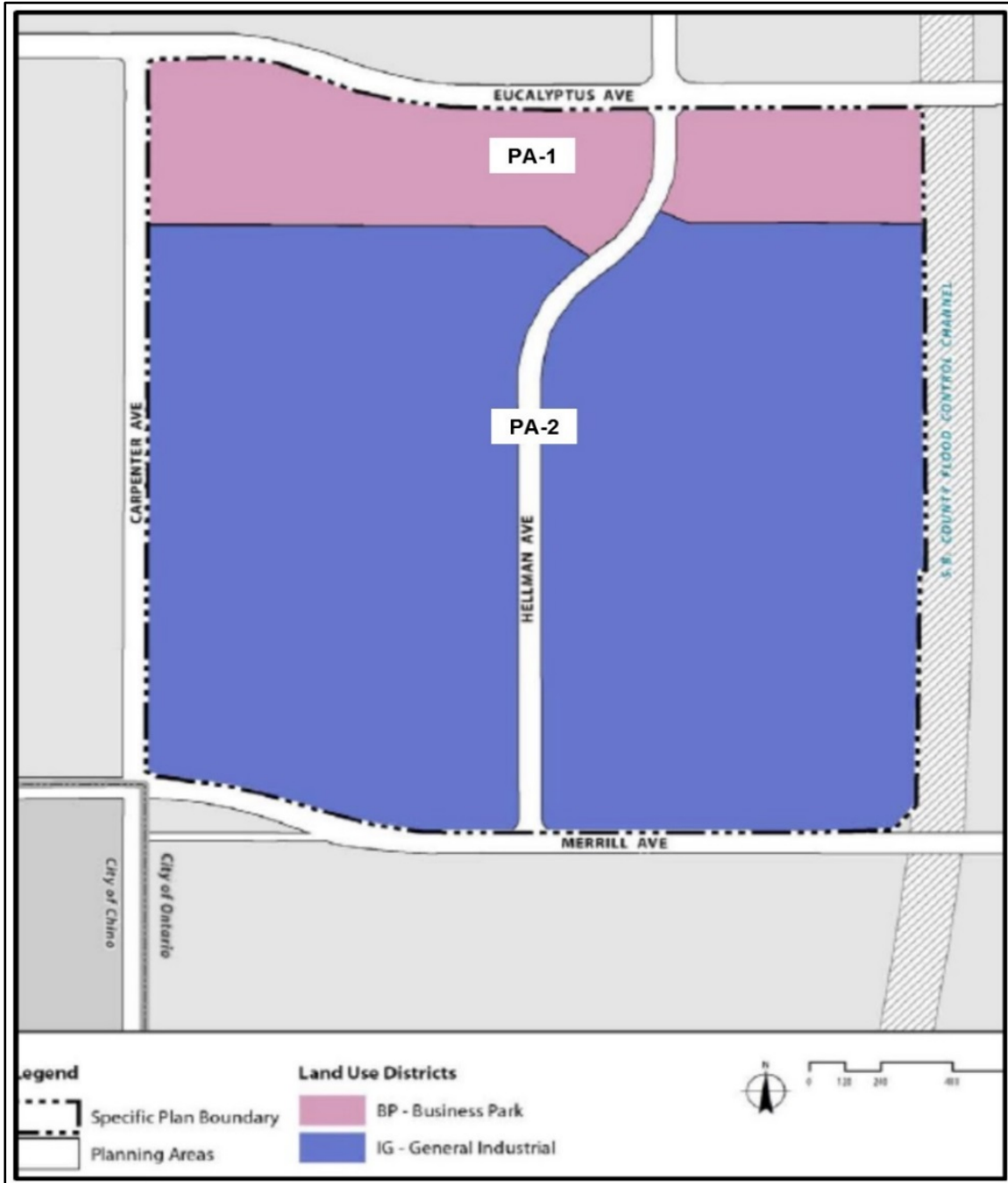
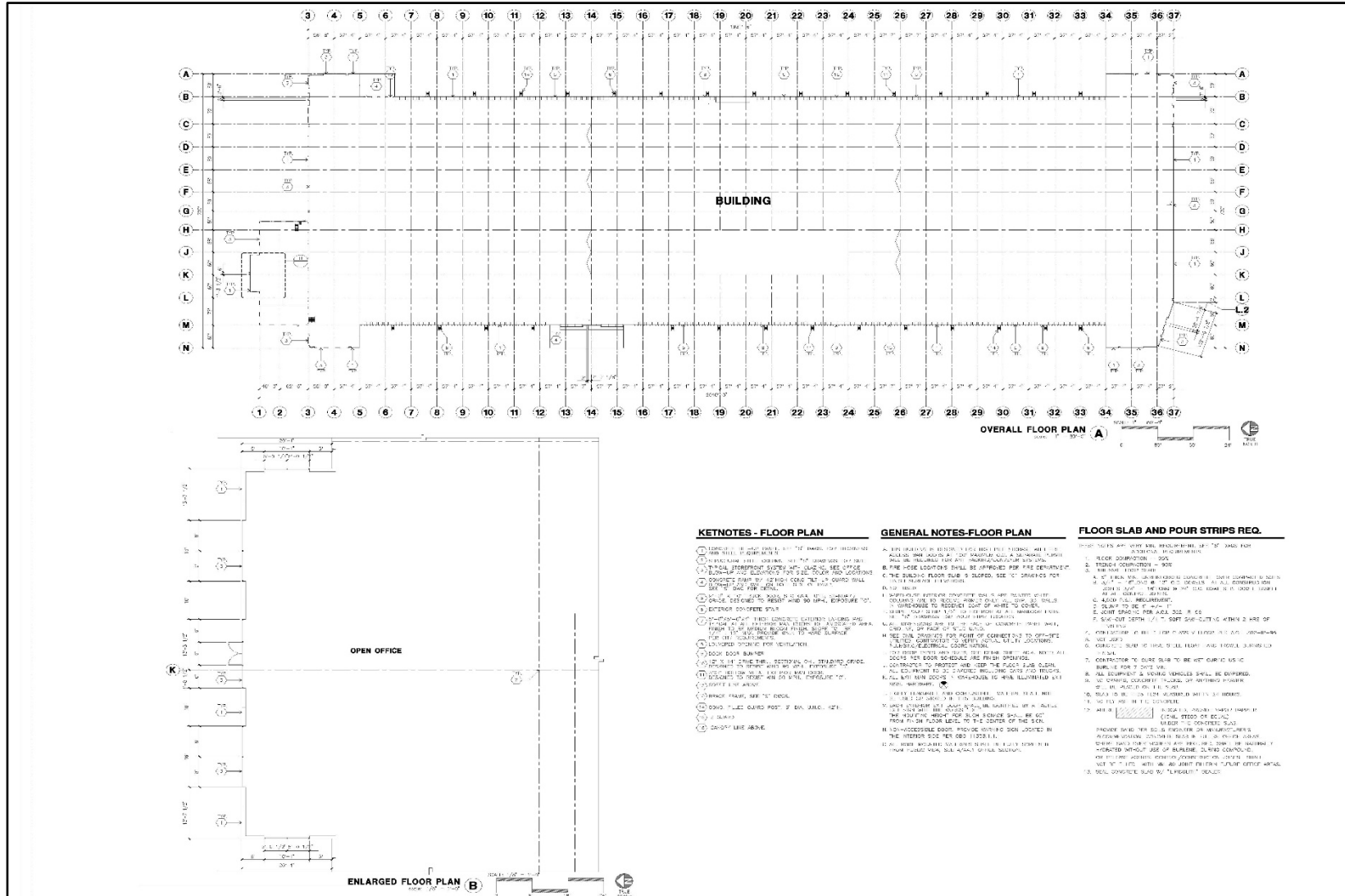


Exhibit D: Floor Plan



KETNOTES - FLOOR PLAN

- 1. FLOOR FINISH TO BE 1/2" THICK POLISHED CONCRETE WITH 1/4" TYPICAL CHAIRS.
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GENERAL NOTES - FLOOR PLAN

- A. ALL DIMENSIONS ARE GIVEN UNLESS OTHERWISE NOTED.
- B. THE FLOOR FINISH SHALL BE APPROVED PER THE DEPARTMENT OF PUBLIC WORKS.
- C. THE BUILDING FLOOR SLAB IS TO BE CONCRETE WITH 1/4" TYPICAL CHAIRS.
- D. THE BUILDING FLOOR SLAB IS TO BE CONCRETE WITH 1/4" TYPICAL CHAIRS.
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FLOOR SLAB AND POUR STRIPS REQ.

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- 36. FLOOR SLAB AND POUR STRIPS TO BE CONCRETE WITH 1/4" TYPICAL CHAIRS.
- 37. FLOOR SLAB AND POUR STRIPS TO BE CONCRETE WITH 1/4" TYPICAL CHAIRS.

HPA
architecture

Hpa, Inc.
1821 barclay avenue, ste. #100
Ontario, CA
91764
tel: 949-963-1770
tel: 949-963-0851
email: hpa@hpaarch.com

Real Estate Development Associates
 4400 MacArthur Blvd Suite 100
 Newport Beach CA 92660
 tel: 949-945-6800

Project:
WEST ONTARIO
COMMERCE
CENTER
 4102 Midland Ave.
 ONTARIO CA 91761

Consultants:

CIVIL	THENES
STRUCTURAL	...
MECHANICAL	...
ELECTRICAL	...
LANDSCAPE	HUNTER
TRUCK DESIGN	...
SOILS ENGINEER	...

Title: OVERALL FLOOR PLAN

Project Number: 19306
 Drawn by: SR
 Date: 6/18/2020
 Revision:

Sheet:
DAB-A2.1
 REV: 7/07

Exhibit E: Landscape Plan

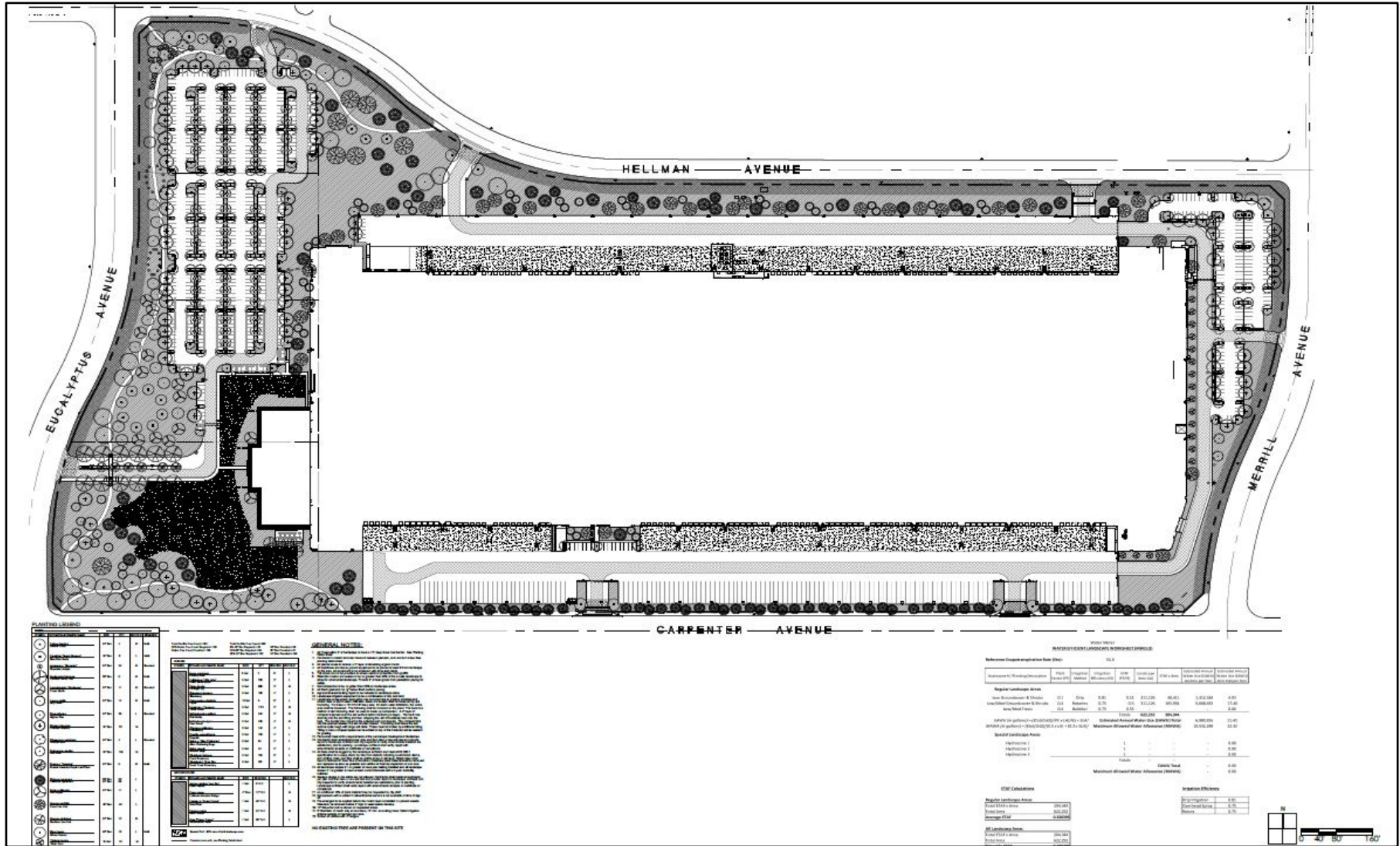
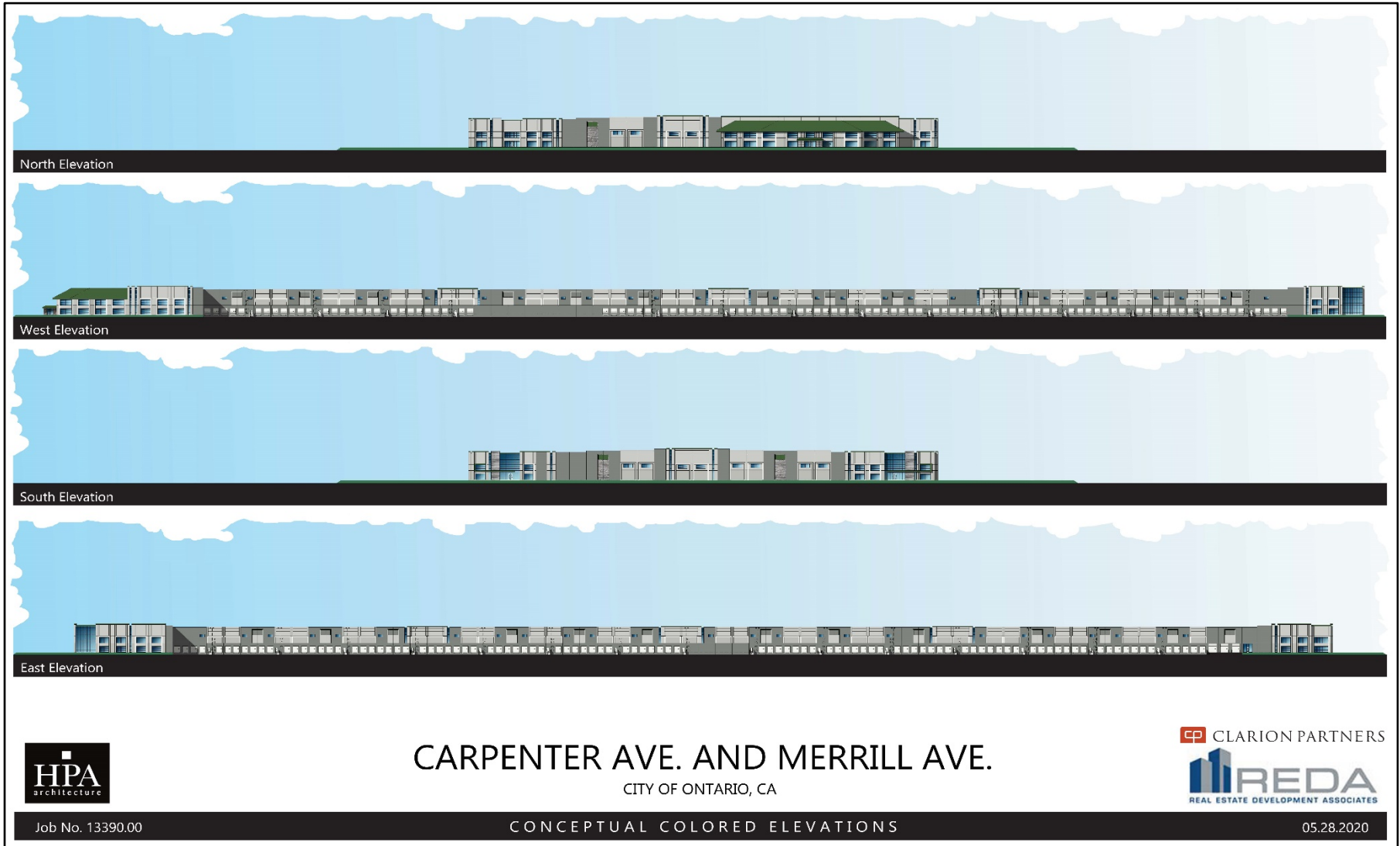


Exhibit F: Building Elevations



Attachment “A”

FILE NO. PDEV20-015 DEPARTMENTAL CONDITIONS OF APPROVAL

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020
File No: PDEV20-015
Related Files: PMTT17-011 (PM19738) and PDEV17-057

Project Description: A Development Plan to construct a 217,308 square foot addition, for warehouse and office uses, for an approved Development Plan (File No. PDEV17-057) for the construction of a 1,038,383 square feet industrial building (Total of 1,255,689 Sq. Ft.) on 64.1 acres of land, located on the southeast corner of Eucalyptus Avenue and Carpenter Avenue to the west, within the Planning Area 1 (Business Park) and Planning Area 2 (General Industrial) land use districts of the West Ontario Commerce Center Specific Plan. APNs: 0218-261-40, 41, 42,43, 44 and 47) submitted by Ontario Land Ventures, LLC.
submitted Real Estate Development Associates, LLC

Prepared By: Rudy Zeledon, Planning Director
Phone: 909.395.2422 (direct)
Email: rzeledon@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

PARKING TABLE SUMMARY						
Type of Use	Building Area	Dock Doors	Parking Ratio	Spaces Required	Spaces Provided	TOTAL
			Proposed Parking			
	Building 1					
Warehouse/ Distribution	1,255,689		One space per 1,000 SF (0.001/SF) for portion of GFA <20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	637	680	- 43
Trailer Truck Parking		184	1 space for every 4-dock high door	46	146	+ 100

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space. The colors, materials and design of the enhanced pavement shall be reviewed and approved by the Planning Department prior to issuance of precise grading permits.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to the West Ontario Commerce Center Specific Plan and the Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of the West Ontario Commerce Center Specific Plan and the Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to the West Ontario Commerce Center Specific Plan and Ontario Municipal Code Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of the West Ontario Commerce Center Specific Plan and the Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noise levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP16-002, the West Ontario Commerce Center Specific Plan for which an Environmental Impact Report (SCH#: 2017041074) was previously adopted by the City Council on July 3, 2018. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of

Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA17-003) shall apply to this development plan.

(b) All applicable conditions of approval of the related Development Plan File No. PDEV17-057 and Parcel Map 19738, File No. PMTT17-011, shall apply to this development plan.

(c) All applicable Police Department conditions of approval of the related Development Plan File No. PDEV17-057 and Parcel Map 19738, File No. PMTT17-011, shall apply to this development plan.

(d) All applicable conditions of approval of the West Ontario Commerce Center Specific Plan shall apply to this development plan and parcel map.

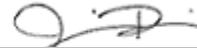
(e) The outdoor break area landscaping and amenities shall be reviewed and approved by the Planning Department prior to issuance of building permits.

(f) All office entry paving shall be provided with an enhanced pavement treatment. The colors, materials and design of the enhanced pavement shall be reviewed and approved by the Planning Department prior to issuance of precise grading permits.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

10/07/20

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV20-015

Case Planner:

Rudy Zeledon

Project Name and Location:

Ontario Land Ventures, LLC
 4450 MacArthur Blvd., Suite 100

Applicant/Representative:

Ontario Land Ventures, LLC
 4450 MacArthur Blvd., Suite 100
 Newport Beach, CA 92660



A Preliminary Landscape Plan (dated 09/29/2020) meets the Standard Conditions for New Development. It has been approved with the consideration the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required before Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE. Submit electronic landscape construction plans with plan check number: landscapeplancheck@ontarioca.gov DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Stormwater infiltration devices located in landscape areas shall be reviewed, and plans approved by the Landscape Planning Division before permit issuance. Any stormwater devices in parkway areas shall not displace street trees.
2. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
3. Show backflow devices set back 4' from paving all sides. Locate on level grade
4. Locate utilities, including light standards, fire hydrants, water, drain, and sewer lines, to not conflict with required tree locations—coordinate civil plans with landscape plans.
5. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners.
6. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
7. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

- 8. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
- 9. Adjust the north arrow.
- 10. Provide CFD ROW landscape plans for Eucalyptus Ave.
- 11. Provide a pedestrian connection from the employee break area to the open grass area.
- 12. Show all utilities on the landscape plans. Coordinate, so utilities are clear of tree locations.
- 13. Show corner ramp and sidewalk per city standard drawing 1213.
- 14. Overhead spray systems shall be designed for plant material less than the height of the spray head.
- 15. Mulch shall be 3” deep in shrub areas.
- 16. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- 17. After a project’s entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,791.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$600.00</u>
Total.....	\$3,391.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-015

Address: SWC of Hellman Avenue & Eucalyptus Avenue

APN: 0218-221-12, 22, 32 & 38, 0218-271-08 & 13

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct a 217,360 addition industrial warehouse building

Site Acreage: 64.1 Proposed Structure Height: 45 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT & Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Rudy Zeledon

Date: 10/14/2020

CD No.: 2020-013

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: 110 FT

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT and Chino Airport, however additional information is required to complete the review.

Project Site was evaluated as part of CD2017-086 for PDEV17-057 and project evaluation and conditions are attached.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-057

Address: Southeast corner Eucalyptus Avenue & Carpenter Avenue

APN: 0218-261-16, 22, 23 & 32 and 0218-271-04, 08, 10, 13 & 18

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct two industrial buildings totaling 2,220,608 SF

Site Acreage: 129.64 Proposed Structure Height: 40 ft

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 6/11/18

CD No.: 2017-086 Rev. 3

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft +</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: 110-130 ft

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The proposed project is located within the Airport Influence Area of Chino Airport and found to be consistent with the California Airport Land Use Planning Handbook provided the following conditions are met:

See Attached.

Airport Planner Signature: _____

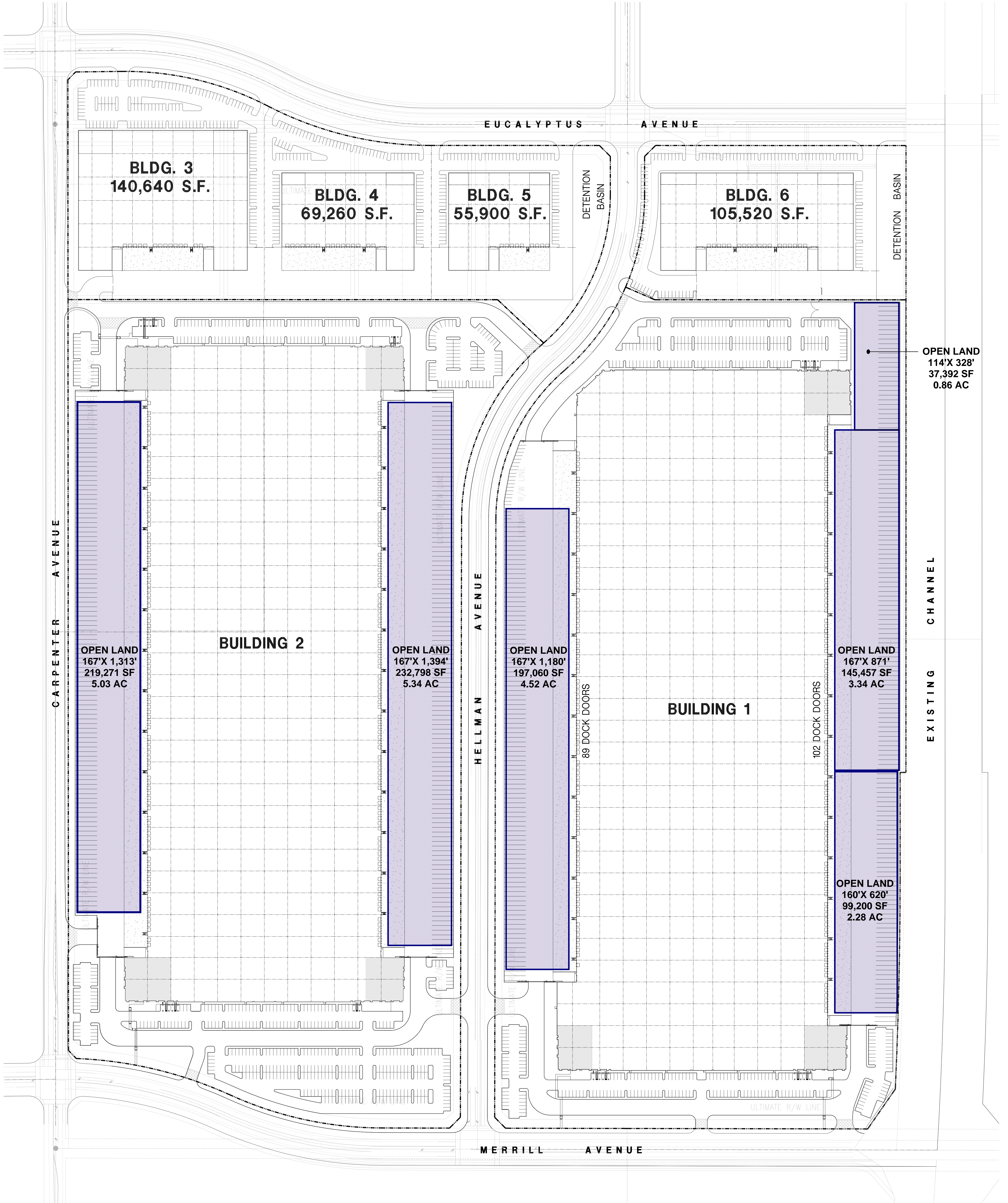
AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-086
PALU No.: _____

PROJECT CONDITIONS

1. The project will need to provide a minimum of 10% open land for the project net area of 129.6 acres, 12.9 acres of open land is required and 21.3 acres has been provided.
2. The attached open land exhibit identifies the interior truck yard as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be remain free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
3. Project is located within Safety Zone 6 and above ground storage of hazardous materials greater than 6,000 gallons is not allowed.



BLDG. 3
140,640 S.F.

BLDG. 4
69,260 S.F.

BLDG. 5
55,900 S.F.

BLDG. 6
105,520 S.F.

DETECTION BASIN

DETECTION BASIN

OPEN LAND
114'X 328'
37,392 SF
0.86 AC

OPEN LAND
167'X 1,313'
219,271 SF
5.03 AC

BUILDING 2

OPEN LAND
167'X 1,394'
232,798 SF
5.34 AC

OPEN LAND
167'X 1,180'
197,060 SF
4.52 AC

BUILDING 1

89 DOCK DOORS

102 DOCK DOORS

OPEN LAND
167'X 871'
145,457 SF
3.34 AC

OPEN LAND
160'X 620'
99,200 SF
2.28 AC

OPEN LAND
114'X 328'
37,392 SF
0.86 AC

CARPENTER AVENUE

HELLMAN AVENUE

EUCALYPTUS AVENUE

MERRILL AVENUE

EXISTING CHANNEL

ULTIMATE R/W LINE

OPEN LAND AREA DATA TABLE

	BLDG (SF)	PARCEL (SF)	PARCEL (AC)	OPEN LAND (SF)	OPEN LAND (AC)	% OPEN LAND
TOTAL	2,220,608	4,273,513	98.1	931,178	21.3	21.8%

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Rudy Zeledon
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 25, 2020
SUBJECT: PDEV20-015

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Rudy Zeledon, Assistant Planning Director
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: June 30, 2020

SUBJECT: PDEV20-015 – A Development Plan to construct a 217,360 square foot addition, for warehouse and office uses, to an existing 1,038,359 square feet industrial building (File No. PDEV 17-057) on 64.1 acres of land, located on the southeast corner of Eucalyptus Avenue and Carpenter Avenue to the west, within the Business Park and General Industrial land use districts of the West Ontario Commerce Center Specific Plan. (APNs: 0218-261-40, 41, 42,43, 44 and 47) submitted by Ontario Land Ventures, LLC

-
- The plan **does** adequately address Fire Department requirements at this time.
- See report for PDEV17-057 dated December 13, 2017, for conditions.
-



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

EXPEDITE

FROM: Rudy Zeledon, Assistant Planning Director

DATE: June 24, 2020

SUBJECT: FILE #: PDEV20-015

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Development Plan to construct a 217,360 square foot addition, for warehouse and office uses, to an existing 1,038,359 square feet industrial building (File No. PDEV 17-057) on 64.1 acres of land, located on the southeast corner of Eucalyptus Avenue and Carpenter Avenue to the west, within the Business Park and General Industrial land use districts of the West Ontario Commerce Center Specific Plan. (APNs: 0218-261-40, 41, 42,43, 44 and 47) submitted by Ontario Land Ventures, LLC.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply

- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Broadband Operations
Department

Anna Vaca
Signature

Sr. Systems Analyst
Title

06/25/2020
Date

1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
2. Communication systems proposed for on-site facilities will be placed underground within a duct and structure system to be installed by the developer. Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement generally, will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today’s technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:
 - Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City’s Structured Wiring ordinance
 - Allows for uniform receipt & distribution of technology services
 - Ensures scalability of wiring for future technology advances
 - Provides consistent & identical wiring protocols throughout developments
 - Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity
 - Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
6. Building Entrance (Multi-family and Commercial) - From the nearest handhole to the building entrance, design and install fiber optic conduit at a minimum depth of 36-inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct
7. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
8. A minimum 13/16 millimeter microduct joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City’s website for additional details.
9. A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

DAB MEETING DATE: October 19th, 2020

PROJECT: PDEV20-015, construct a 217,360 SF addition, to an existing 1,038,359 SF industrial building (PDEV17-057) on 64.1 acres of land, located at the SWC of Eucalyptus Avenue and Carpenter Avenue within the West Ontario Commerce Center Specific Plan.

APN: 0218-271-32

LOCATION: Southeast Corner of Eucalyptus Avenue and Hellman Avenue

PROJECT ENGINEER: Bryan Lirley, P.E., Principal Engineer *BL* (909) 395-2137

PROJECT PLANNER: Rudy Zeledon, Planning Director (909) 395-2036

The following items are the Conditions of Approval for the subject project:

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. Inherited Requirements and Conditions of Approval: This project is subject to all the Requirements and Conditions of Approval of the PMTT17-011 (PM-19738) West Ontario Commerce Center Specific Plan (PSP16-002).
3. The Applicant/Developer shall pay all Development Impact Fees (DIF) to the Building Department.
4. Provide a preliminary title report dated within 30 days of submittal.
5. The applicant/developer shall clean up/merge/adjust the lot lines for Parcels 2-6 & 9 as per recorded Parcel Map 19738 to accommodate the revised site plan.

6. Final Utilities Systems Map (USM): Convert the Conceptual Utility Plan into a Final Utilities Systems Map and submit as a part of the precise grading plans submittal. The USM shall meet all of the City's USM requirements and shall show and label all appurtenances, services, meters and backflow devices. The final utility design shall comply with all DDW (CCR §64572) and City of Ontario separation requirements which include a minimum 10' horizontal separation, outside wall to outside wall, between water and sewer and a minimum 5' horizontal separation, outside wall to outside wall, between water and all other utilities.

Potable Water Conditions:

7. Existing and Unused Potable Water Services and Meters: Existing services that will not be used shall be abandoned back to the main. Any existing services that will be relocated shall be abandoned back to the main and a new service shall be constructed in the correct location per City Standards. Services, meters and backflows shall maintain 5-foot min. separations from curb returns and all other utilities.

Sewer Conditions:

8. Sewer Sub-Area Master Plans (SSAMP): Revise the TPM 19738 Sanitary Sewer Analysis dated 5/23/18 by Westland (including the August 2019 updates) to reflect the changes proposed by this project and submit to OMUC for review and approval with the first submittal of the precise grading plans and prior to issuance of any permits.
9. Existing and Unused Sewer Laterals: Existing sewer laterals that will not be used shall be abandoned back to the main. Existing sewer laterals that will be relocated shall be abandoned back to the main and a new lateral shall be constructed in the correct location per City Standards. Laterals shall maintain 5-foot min. separations from curb returns and all other utilities.
10. Wastewater Discharge: Each Occupant of the building shall apply for a Wastewater Discharge Permit for their Establishment and shall comply with all the requirements of the Wastewater Discharge Permit

<https://www.ontarioca.gov/OMUC/Utilities>

Requirements of the Wastewater Discharge Permit may include but are not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager
Phone: (909) 395-2687; Email: omucenvironmental@ontarioca.gov

Recycled Water Conditions:

11. Existing and Unused Recycled Water Services and Meters: Existing services that will not be used shall be abandoned back to the main. Any existing services that will be relocated shall be abandoned back to the main and a new service shall be constructed in the correct location per City Standards. Services and meters shall maintain 5-foot min. separations from curb returns and all other utilities.

- 12. City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks.


- 13. RW Program Requirements: In order to receive RW service, the applicant shall comply with the following:
 - a. **Prior to Precise Grading Plan Approval and Building Permits Issuance:**
 - i. Provide two hard copies and the digital files (in PDF and AutoCAD format) for both on-site and off-site utility plans, including landscape and irrigation improvements.
 - ii. Submit an Engineering Report (ER) to the City detailing recycled water usage for review and approval by the City and the State. The review process for the ER is typically 3 months. City will coordinate the State's approval of the ER.
 - b. **Prior to Occupancy Release/Finalizing:**
 - i. Pass start-up and cross-connection test successfully.
 - ii. Provide evidence demonstrating the training of on-site supervisor or designee as determined in the ER.

Solid Waste Comments:

- 14. Integrated Waste and Organics Recycling: This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341 and the Integrated Waste Department.
 - a. Organics Separation and Collection: Organic waste shall be diverted and collected separately from recycling and other refuse wastes.
 - b. Install a three (3) Bin Trash Enclosure (a separate 4CY bin for refuse, recycling, and organic waste) for each potential office space, at a minimum unless otherwise approved by the Integrated Waste Division Manager. A combination of Compactor and Bin service may be considered through the submittal of a variance.
 - c. Private Hauling: All private haulers shall be formally approved and permitted by the City of Ontario Integrated Waste Department and shall City regulations and code requirements. No private hauling is permitted for refuse collection.

- 15. Final Solid Waste Handling Plan (SWHP): Submit a Final SWHP as part of the precise grading plans submittal that meets the City's SWHP requirements for OMUC review and approval. The Final SWHP shall reflect any site design changes needed to comply the final conditions of approval.

- 16. Final Integrated Waste Management Report (IWMR): Prior to issuance of any permits, submit a Final IWMR with the Precise Grading Plan that meets all of the City's IWMR requirements for OMUC review and approval.



Raymond Lee, P.E.
Assistant City Engineer

10-15-20

Date



Khoi Do, P.E.
City Engineer

10-15-20

Date



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PMTT19-015

DESCRIPTION: A Tentative Tract Map to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots, located at the northeast corner of La Avenida Drive and Manitoba Place, within the proposed Low-Medium Density land use district of The Avenue Specific Plan 0218-652-27; **submitted by Ontario Schaefer Holdings, LLC.**

Part I—BACKGROUND & ANALYSIS

ONTARIO SCHAEFER HOLDINGS, LLC, (herein after referred to as “Applicant”) has filed an application requesting the approval of an Addendum to The Avenue Specific Plan Environmental Impact Report, prepared in conjunction with File No. PMTT19-015, as described in the Description of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 10.49 acres of land located at the northeast corner of Manitoba Place and La Avenida Drive, and is depicted in Exhibit A—Project Aerial, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Existing: Public School Proposed: Low-Medium Density Residential (5.1-11 du/ac)	The Avenue Specific Plan	Existing: School Proposed: Low-Medium Density Residential (PA-6B)
<i>North</i>	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential (PA-6A)
<i>South</i>	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential (PA-8A)
<i>East</i>	Vacant	Public School	The Avenue Specific Plan	School (PA-9B)
<i>West</i>	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential (PA-6A)

(2) **Project Description:** The Project analyzed under the Addendum to The Avenue Specific Plan Environmental Impact Report (“Certified EIR”) consists of three applications to facilitate the future construction of 106 single-family dwellings, which includes:

- A General Plan Amendment (“GPA”, File No. PGPA19-008) to modify the Policy Plan (general plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 10.49 gross acres of land from Public School to Low-Medium Density Residential (5.1-11 du/ac);
- An amendment to The Avenue Specific Plan (“SPA,” File No. PSPA19-003), changing the land use designation of the project site, PA-6B, from Public School to Low-Medium Density Residential;
- A Tentative Tract Map (File No. PMTT19-010/TT 20285) to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots; and
- The future development of the Project site with 106 single-family dwellings, along with an associated one-half acre park area, and common and private landscaped areas, which will require the submittal of a Development Plan application.

The GPA and SPA require Planning Commission recommendation to the City Council for review and approval. The Tentative Tract Map requires Development Advisory Board recommendation to the Planning Commission for review and approval. The future development of the site will require Development Plan review and approval by the Planning Commission.

The Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an Initial Study/Addendum has been prepared to determine possible environmental impacts. Although the proposed project could have a significant effect on the environment, because all potentially significant effects have been analyzed adequately in an earlier Certified EIR, and have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed on the proposed project, nothing further is required. The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Environmental Impact Report, are a condition of project approval and are incorporated in the Initial Study/Addendum (see Attachment 1—Initial Study/Addendum, attached).

Part II—RECITALS

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario has prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the EIR Addendum concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an Addendum to the Certified EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board (“DAB”) is the recommending authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, the DAB has reviewed and considered the EIR Addendum and related documents for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the EIR Addendum and related documents are on file in the City of Ontario Planning Department, located at 303 East B Street, Ontario, CA 91764, and are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, City of Ontario Development Code Table 2.02-1 (Review Matrix) grants the DAB the responsibility and authority to review and act, or make recommendation to the Planning Commission on the subject Application; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which the public notification of environmental actions shall be provided and hearing procedures to be followed, and all such notifications and procedures have been accomplished pursuant to Development Code requirements; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the hearing and adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral

evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Avenue Specific Plan Environmental Impact Report (State Clearinghouse No. 2005071109), which was certified by the Ontario City Council on February 16, 2007; and

(2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required.
Based on the EIR Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Development Advisory Board Action.* The DAB does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby recommend the adoption of the EIR Addendum to the Certified EIR, included as Attachment 1 of this Decision.

SECTION 4: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: *Custodian of Records.* The EIR Addendum and all other documents and materials that constitute the record of proceedings on which these findings have been based, are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Attachment 1—Addendum to The Avenue Specific Plan Environmental Impact Report

(EIR Addendum follows this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

California Environmental Quality Act Addendum to The Ontario Plan Environmental Impact Report

Project Title/File Nos.: PGPA19-008, PSPA19-011, and PMTT19-015

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Alexis Vaughn, Assistant Planner, 909-395-2436

Project Sponsor: City of Ontario, 303 East B Street, Ontario, CA 91764

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is located on Assessor Parcel Number (APN): 0218-652-27, which is comprised of 10.49 acres of land generally located north of La Avenida Drive, South of Schaefer Avenue, east of Archibald Avenue and west of Turner Avenue.

Figure 1: REGIONAL LOCATION MAP



Figure 2: VICINITY MAP

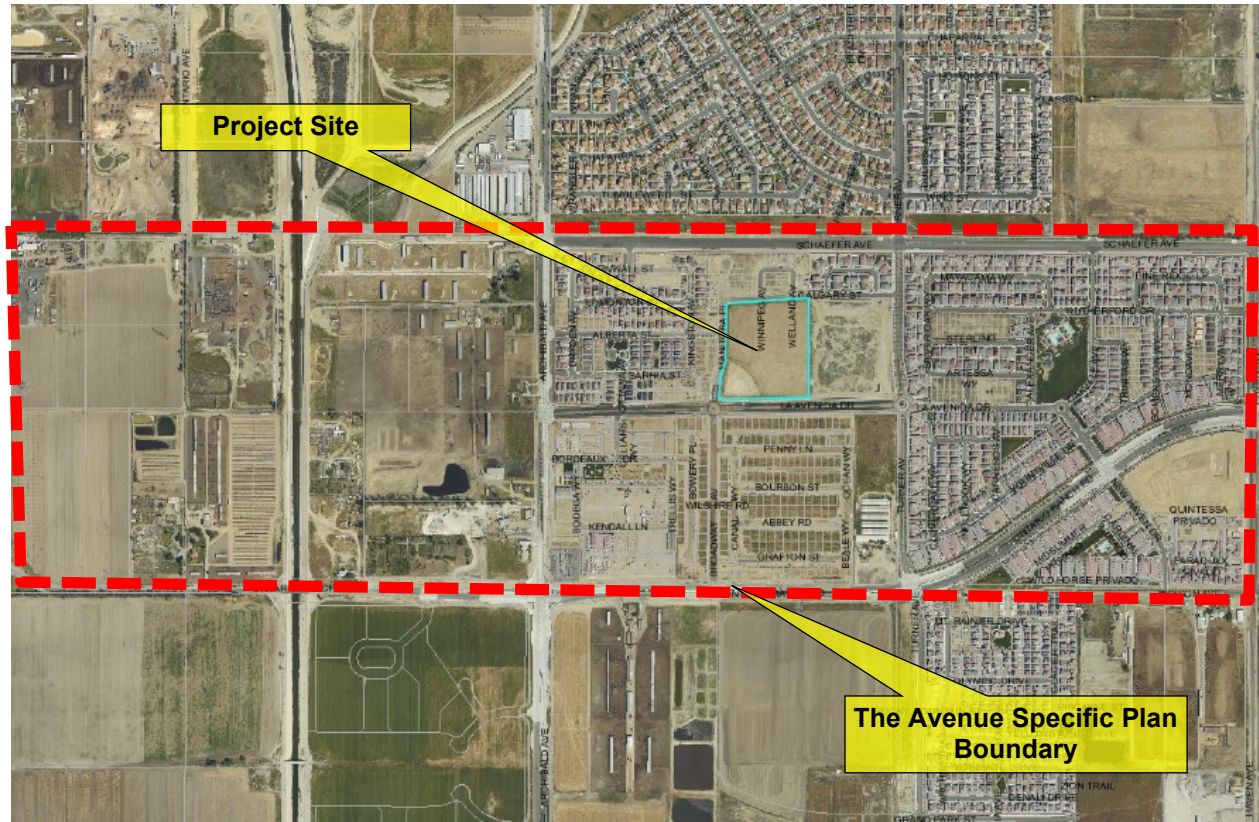


Figure 3: AERIAL PHOTOGRAPH



General Plan Designation: Existing –Public School; Proposed – Low-Medium Density Residential (5.1-11 du/ac)

Zoning: Existing – Public School district of the of The Avenue Specific Plan. Proposed – Low-Medium Density Residential.

Description of Project: The project proposes the following entitlements:

1. A General Plan Amendment (GPA) (File No. PGPA19-008) to modify the Land Use Plan (Exhibit LU-01) of the Policy Plan (General Plan) of The Ontario Plan to change the land use designation on 10.49 acres of land, from Public School to Low-Medium Density Residential (5.1-11 du/ac), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change.
2. An amendment to The Avenue Specific Plan (SPA) (File No. PSPA19-011) to change the land use designation of 10.49 acres of land from Public School to Low-Medium Density Residential The Avenue Specific Plan, adopted on February 16, 2007, is located on approximately 568 acres of land generally located south of Schaefer Avenue, north of Ontario Ranch Road, west of Haven Avenue, and east of Carpenter Avenue. The Specific Plan Amendment will include the following revisions to the Specific Plan:
 - Any graphic that currently identifies the 10.49 acres of Public School, will be changed to Low-Medium Density Residential;
 - Any text that references acre totals to reflect the land use change;
 - Changes to all tables, including Table 2 – Statistical Analysis, to reflect land use change; and
 - Text and graphic changes to the Development Regulations chapter to accommodate a new product type to serve the Project site.
3. A Tentative Tract Map (File No. PMTT19-015) to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots, for property located within the proposed Low-Medium Density Residential land use district of The Avenue Specific Plan, located at the northeast corner of La Avenida Drive and Manitoba Place.
4. The future development of the Project site with 106 single-family dwellings, along with an associated one-half acre park area, and common and private landscaped areas, which will require the submittal of a Development Plan application.

Project Setting: The project site consists of approximately 10.49 acres of land within southeast Ontario. The site is generally rectangular in shape and abuts La Avenida Drive to the south. The site gently slopes to the southwest and is vacant. The site was historically used for agriculture uses, including dairy farms and row crop production. The site is surrounded by residential land uses to the north, west, and south, and by the vacant remainder of the Public School site to the east. Additional residential units are sited to the east of the Public School site.

Background: On January 27, 2010, the Ontario City Council adopted The Ontario Plan (“TOP”). TOP serves as the framework for the City’s business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements: Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (“EIR”) was prepared for TOP (State Clearinghouse No. 2008101140) and certified by the City Council on January 27, 2010 (hereinafter referred to as “Certified EIR”), which included Mitigation, Findings and a Statement of Overriding Considerations pursuant to the requirements of the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (“CEQA”). The Certified EIR analyzed the direct and physical changes in the environment that would be caused by

TOP implementation; focusing on changes to land use associated with the buildout of the proposed land use plan, and in the Policy Plan and impacts resultant of population and employment growth in the City. The subject site was analyzed in the addendum to the Certified EIR as Low-Medium Density Residential (5.1-11 du/ac) (See Exhibit A) to be consistent with the residential uses to the north, west, and south of the subject site, Public School use to the east, and additional residential farther east. The significant unavoidable adverse impacts that were identified in the original Certified EIR included agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation/traffic.

On February 16, 2007, the Ontario City Council adopted The Avenue Specific Plan EIR (State Clearinghouse No. 2005071109), which included Mitigation, Findings and a Statement of Overriding Considerations pursuant to the requirements of the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (“CEQA”). The Certified EIR analyzed the direct and physical changes in the environment that would be caused by The Avenue Specific Plan, which was established so as to be consistent with the underlying Land Use Designations as set forth by TOP and the Policy Plan.

Analysis: According to California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

- 1) *Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.*

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land uses associated with the buildout of the proposed land use plan. The Ontario Plan EIR assumed more overall non-residential development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed General Plan Amendment to change the land use designations for 10.49 acres of land, from Public School, Low-Medium Density Residential (5.1-11 du/ac), will result in less public school development than TOP EIR analyzed at buildout. Note that categories listed under “Other” in the TOP Buildout Analysis, including Public School, are not analyzed for “Non-Residential Square Feet” or “Jobs” impacts and have thus been omitted from the table below.

TOP Buildout Analysis	Units	Population	Public School Acreage
Buildout per Original TOP EIR	101,071	348,479	632
Revised Buildout per previous approved TOP amendments and the proposed amendment	101,160	348,836	621

In addition, the proposed GPA would replace the need for a minimum of 450 middle school student trips (based on Table 2-2: Project Trip Generation by Planning Area as analyzed in The Avenue Specific Plan’s Environmental Impact Report). In August 2018, the Mountain View School District completed a School District Facilities Needs Analysis, which determined that future elementary school facilities will be designed to accommodate 800 students, and future middle school facilities will be designed to accommodate 1,200 students. In March 2020, a Trip Generation Assessment (Attached to this document) was completed by Urban Crossroads, which analyzed the impact of the proposed land use change. Per the Mountain View School District, conversion of the existing 20-acre middle school site would result in an approximately ten acres of a single-family detached land use, and ten acres of an elementary school land use (the remaining approximately ten acres of the site not directly affected by the proposed project). The trip generation rates used for the analysis were based on information collected from the Mountain View School District and the Institute of Transportation Engineers (ITE),

as provided in their Trip Generation Manual, 10th Edition, 2017. A summary of the currently approved and proposed trip generation, including the remaining approximately 10-acre parcel, which will shift from a middle school to an elementary school land use, is shown below. Note: at the time of the Trip Generation Analysis, the proposed number of dwelling units was 110; the project has since been reduced to 106 dwelling units. The table below reflects the current project dwelling unit count. As shown, the project and General Plan Amendment, in conjunction with the remaining parcel to the east indirectly affected by the project, is forecast to result in 128 fewer Average Daily Trips (ADT) compared to the assumed middle school development under the existing Public School General Plan land use designation, including 88 fewer Passenger Commuter Equivalent (PCE) trips during the AM peak hour and 27 more PCE trips during the PM peak hour.

Trip Generation Comparison

Land Use	Size	Units	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Proposed Land Use – 106 Residential Single-Family Detached (ITE Land Use 210)	106	SFD							
Trip Rate			9.44	0.19	0.56	0.74	0.62	0.37	0.99
Trip Generation			1,000	20	59	79	65	39	104
Internal Capture (8%)			-84	-2	-5	-7	-6	-3	-9
Remaining Adjacent Land Use – Elementary School, 800 Students (ITE Land Use 520)	800	STD							
Trip Rate			1.89	0.36	0.31	0.67	0.08	0.09	0.17
Trip Generation			1,512	289	247	536	65	71	136
Existing Land Use – Middle School, 1,200 Students (ITE Land Use 522)	1,200	STD							
Trip Rate			2.13	0.31	0.27	0.58	0.08	0.09	0.17
Trip Generation			2,556	376	320	696	100	104	204
TOTAL TRIP GENERATION (Proposed – Existing)			-128	-69	-19	-88	24	3	27

Since the anticipated buildout and trip generations resulting from previous approved TOP amendments and the proposed project changes will be less than that originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference. The Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

- 2) *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR in that the proposed changes would be in keeping with the surrounding area. The area surrounding the Project site has been designated as residential and was previously analyzed as such; the land use change proposed will be consistent with the surrounding neighborhood. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

- 3) *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any

new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present

CEQA Requirements for an Addendum: If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:

a) The project will have one or more significant effects not discussed in the previous negative declaration;

b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Certified EIR.

Conclusion: TOP EIR, certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed Specific Plan Amendment coordinates with the existing uses of the properties and uses within the surrounding areas. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the Certified EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary, nor is there a need for any additional mitigation measures; therefore, pursuant to State CEQA Guidelines Section 15164, the Ontario City Council hereby adopts this Addendum to the Certified EIR.

Surrounding Land Uses:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Vacant	Public School (Low-Medium Density Residential proposed)	The Avenue Specific Plan	Public School (Low-Medium Density Residential Proposed)
North:	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential
South:	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential
East:	Vacant	Public School	The Avenue Specific Plan	Public School
West:	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

Tribal Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?
 Yes No N/A

If "yes," has consultation begun? Yes No Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Energy |

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Alexis Vaughn, Assistant Planner
Printed Name and Title

September 25, 2020
Date

City of Ontario
For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) Earlier Analyses Used. Identify and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the

scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) The significance criteria or threshold, if any, used to evaluate each question; and
- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>Impacts Previously Analyzed in TOP EIR</i>
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. GREENHOUSE GAS EMISSIONS. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
16. RECREATION. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION. Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Note:</u> Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.</p> <p><u>Reference:</u> Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains. The project site is not directly adjacent to any Principal Arterials, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. The proposed General Plan Amendment and Specific Plan Amendment to change the land use designation on 10.49 acres of land, from Public School to Low-Medium Density

Residential (5.1-11 du/ac), will not result in adverse environmental impacts with regard to views of the San Gabriel Mountains. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east–west direction. I-15 traverses the northeastern portion of the City in a north–south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings, or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Discussion of Effects: The Project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by residential development and is surrounded by urban land uses.

Any development proposals that would subsequently occur from the proposed Project will be required to be in accordance with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: The proposed land use change itself will not cause lighting to be installed in the Project. New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code, on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The site is presently vacant and does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not zoned for agricultural use. The project proposes a General Plan Amendment and Specific Plan Amendment to change the land use designation for 10.49 acres of land from Public School to Low-Medium Density Residential (5.1-11 du/ac). Future development will be consistent with the development standards and allowed land uses. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Discussion of Effects: The proposed project would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in the Certified EIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses, there are no agricultural uses occurring onsite or in the vicinity and the Project does not directly or indirectly result in conversion of farmland. No new cumulative impacts beyond those identified in the Certified EIR would result from Project implementation. As a result, the project will not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither TOP nor the City's Zoning Code provide designations

for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Public School and is generally surrounded on all sides by residential land uses. The project will not conflict with or obstruct implementation of any air quality plan. As noted in the Certified EIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. Mitigation (Mitigation Measure 5.3-2) has been adopted by the City that requires fugitive dust control measures pursuant to SCAQMD's Rule 403, use of Tier 3 construction equipment, proper service and maintenance of construction equipment, limiting nonessential idling of construction equipment, and use of Super-Compliant VOC paints for coating and architectural surfaces. Any future development proposals on the project site will be required to comply with Mitigation Measure 5.3-2. No new impacts beyond those identified in the Certified EIR would result from Project implementation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because the Project is a Specific Plan Amendment that adds residential land uses to property surrounded by residential land uses by the Official Land Use Map (Exhibit LU-01) of the Policy Plan component of TOP. Mitigation (Mitigation Measure 5.3-1) has already been adopted by the City that would facilitate continued City cooperation with the SCAQMD and SCAG to achieve regional air quality improvement goals, promote energy conservation design and development techniques, encourage alternative modes of transportation, and implement transportation demand strategies. The project will comply with the air quality standards of the Certified EIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Public School and is surrounded on all sides by residential land uses. As discussed in Section 5.3 of the Certified EIR, the proposed Project is within a non-attainment region of the South Coast Air Basin (SCAB). The proposed General Plan Amendment and Specific Plan Amendment closely correlates with the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in the Certified EIR. Adequate mitigation (Mitigation Measure 5.3-5) has already been adopted by the City that would require new developments to be consistent with recommended buffer distances of the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). Under this mitigation, new development that is inconsistent with the recommended

buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters, have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources. As no industrial or commercial development is proposed for this site, the introduction of additional residential units to an area currently dominated by residential land uses will not subject the existing residential land uses/sensitive receptors to substantial pollutant concentrations. No new impacts beyond those identified in the Certified EIR would result from Project implementation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Public School and is surrounded on all sides by residential land uses. The use proposed on the subject site (residential) does not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Public School and is surrounded on all sides by residential land uses. According to the Certified EIR, the project site is located within an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. The species includes the Delhi Sands Flower Loving Fly ("DSF"). However, the species was not observed on site during general surveys conducted as a result of the Supplemental EIR ("SEIR") for The Avenue Specific Plan, certified in February 2010. Further, all previous focused DSF surveys conducted in the eastern portions of the site were negative. Since certification of the SEIR, construction has occurred all around the project site, isolating the site. Additionally, much of the Specific Plan area has been highly disturbed and degraded over decades of continuous dairy and agricultural practices, and do not support any of the plant species typically associated with the presence of the DSF. Therefore, DSF is not expected to occur within the project site and focused surveys were not recommended.

Previous western burrowing owl studies have revealed portions of The Avenue Specific Plan have been inhabited by paired and unpaired owls. A standard mitigation measure is to provide burrowing owl surveys prior to ground disturbance.

In addition to the western burrowing owl, other special-status animal species have some potential (albeit very limited) to occur on site, such as nesting birds. A standard mitigation measure is to provide nesting bird surveys prior to ground disturbance.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified analyses are necessary.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR Public School and is surrounded by residential land uses. The site does not contain any riparian habitat or other sensitive

natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion of Effects: The site is a vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: The City of Ontario does not have any specific policies or ordinances protecting biological resources. Further, the project site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Discussion of Effects: The subject site was previously analyzed by The Avenue Specific Plan for a Public School and use. The subject site is vacant and does not contain any buildings or structures constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. Archival records searches were conducted within the San Bernardino Eastern Information Center in Riverside, California, and the Archaeological Information Center at the San Bernardino County Museum as a result of The Avenue SP EIR process. The records failed to show any prehistoric archeological sites, isolates, or any historic cultural resources within the Specific Plan area. A total of eight structures at five different addresses were identified as potentially historic within the Specific

Plan area; however, none of these resources occur within the subject project site. The potential historic resources identified as part of The Avenue Specific Plan's EIR process will not be impacted (directly or indirectly) by the proposed Project. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: The Certified EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. The Project site has been highly disturbed by modern human activities to include dairy and crop production uses and grading activities that would have displaced potential surface and subsurface archaeological resources. Therefore, the proposed Project will not impact cultural (prehistoric, historic, or historic built environments) resources and no mitigation measures are recommended. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: The proposed project is in an area that has been previously disturbed by human activity. No known religious or sacred sites exist within the Project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

6. ENERGY Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Discussion of Effects: Energy was not analyzed in the Certified EIR but has been included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the Project would increase the demand for electricity and natural gas at the Project site and gasoline consumption in the region during construction and operation. A detailed discussion is provided below.

Electricity

Construction. Temporary electric power would be required for lighting and electronic equipment (e.g., computers) located in trailers used by the construction crew. However, the electricity used for such activities would be temporary and would have a negligible contribution to the project's overall energy consumption.

Operational. The proposed General Plan Amendment and Specific Plan Amendment will change the land use designation for 10.49 acres of land, from Public School to Low-Medium Density Residential (5.1-11 du/ac). The Project does not include construction of an actual development; however, the proposed

residential land use will be similar to the already allowed school use, and will have similar energy use during operation, as residential, school, or commercial-type uses would require electricity for multiple purposes, such as: building heating and cooling, lighting, appliances, and electronics. Any future development on the site would be required to comply with the CALGreen Building Code requirements in effect at the time of development, which are more efficient than the 2016 standards. Moreover, the Project will include a sample Greenhouse Gas Reduction Measure Screening Table for Residential and Commercial Development. The Screening Table includes measures for energy efficient development, indoor space efficiency measures, building efficiency measures, renewable energy measures, and water conservation measures. Measures that would reduce electricity consumption include, but are not limited to: greatly enhanced window insulation, an enhanced cool-roof, an improved efficiency heating, ventilation, and air conditioning (“HVAC”) system, blower doors HERS verified Envelope leakage or equivalent, enhanced duct insulation, Energy Star commercial appliances, water efficient landscaping and irrigation systems, and water-efficient toilets and faucets. Although electricity consumption would increase at the site under implementation of the Project, the building envelope, HVAC, lighting, and other systems, would be designed to maximize energy performance. The project would also be subject to statewide mandatory energy requirements as outlined in the CALGreen Code. In addition, the Project would implement additional measures, as detailed in the GHG reduction measures screening table, that would further reduce electricity consumption. Electricity that would be consumed by the Project would also be subject to the cap-and-trade regulation. For these reasons, the electricity that would be consumed by the Project is not considered to be inefficient or wasteful, and impacts would be less than significant.

Natural Gas

Construction. Natural gas consumption is not anticipated during construction of the Project. Fuels used for construction would generally consists of diesel and gasoline, which are discussed in the next subsection. Any amounts of natural gas that may be consumed during project construction would be nominal and would have a negligible contribution to the project’s overall energy consumption

Operational. The proposed General Plan Amendment and Specific Plan Amendment will change the land use designation for 10.49 acres of land, from Public School to Low-Medium Density Residential (5.1-11 du/ac). The Project does not include construction of an actual development. However, during hypothetical operation of the Project, a residential use would require natural gas consumption for various purposes, such as building heating and cooling. Any future structure developed on the site would be built to the 2016 Title 24 CALGreen efficiency requirements or the code in effect at the time of development. In addition, measures will be applied based on the information contained in the County’s GHG DRP checklist. These measures include, but are not limited to: enhanced wall, attic, and window insulation; high efficiency water heater, and optimized building orientation. Although natural gas consumption would increase at the site under implementation of the Project, the building envelope, HVAC, lighting, and other systems, would be designed to maximize energy performance. The project would be subject to statewide mandatory energy requirements as outlined in the CALGreen Code. In addition, the project would implement additional measures, as detailed in the GHG reduction measures screening table, that would further reduce natural gas consumption. Natural gas that would be consumed by the Project would also be subject to the cap-and-trade regulation. For these reasons, the natural gas that would be consumed by the project is not considered to be inefficient or wasteful, and impacts would be less than significant.

Diesel and Gasoline Fuel

Construction. Diesel and gasoline fuels, also referred to as petroleum in this subsection, would be consumed throughout construction of the Project. Fuel consumed by construction equipment would be the primary energy resource consumed over the course of construction, and vehicle miles traveled (“VMT”) associated with the transportation of construction materials (e.g., deliveries to the site) and worker trips to and from the site would also result in petroleum consumption. Whereas on-site, heavy-duty construction equipment and delivery trucks would predominantly use diesel fuel, construction workers would generally rely on gasoline-powered vehicles. Any future development would be required to comply with CARB’s Airborne Toxic Control Measures, which restricts heavy-duty diesel vehicle idling to five minutes. Since petroleum use during construction would be temporary and required to conduct development activities, it would not be wasteful or inefficient, and impacts would be less than significant.

Operational. Fuel consumption associated with development pursuant to the Project’s operational phase would primarily be attributable to workers commuting to and from the Project and the operation of

large, diesel-powered trucks (e.g., semi-trucks) needed to transport goods. Over the lifetime of the Project, the fuel efficiency of the vehicles being used by the employees is expected to increase. As such, the amount of petroleum consumed as a result of vehicular trips to and from the Project site during operation is anticipated to decrease over time. There are numerous regulations in place that require and encourage fuel efficiency. For example, CARB has adopted an approach to passenger vehicles by combining the control of smog-causing pollutants and GHG emissions into a single, coordinated package of standards. The approach also includes efforts to support an accelerate the number of plug-in hybrids and ZEVs in California. In addition, per the requirements identified in SB 375, CARB adopted a regional goal for the SCAG region of reducing per-capita GHG emissions from 2005 levels by 8 percent by 2020 and 19 percent by 2035 for light-duty passenger vehicles. Accordingly, operation of the Project is expected to decrease the amount of petroleum it consumes in the future due to advances in fuel economy. Although the Project would increase petroleum use in the region during construction and operation, the use would be a small fraction of the statewide use and, due to efficiency increases, would diminish over time. As such, petroleum consumption associated with the Project would not be considered inefficient or wasteful and would result in a less-than-significant impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to the Certified EIR analyses are necessary.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion of Effects: The Project would not conflict with or obstruct a state or local plan adopted for the purposes of increasing the amount of renewable energy or energy efficiency. The California Title 24 Building Code contains energy efficiency standards for residential buildings. These standards address electricity and natural gas efficiency in lighting, water, heating, and air conditioning, as well as the effects of the building envelope (e.g., windows, doors, walls and roofs, etc.) on energy consumption. As described above, the Project would be required to comply with the 2019 Title 24 CALGreen standards and would implement additional measures as identified in the County's GHG DRP checklist. Since the Project would comply with applicable State standards and adhere to the County's energy reductions measures identified in the GHG Emissions Reduction Plan, the Project would not conflict with nor obstruct a state or local plan for renewable energy or energy efficiency. This impact would be less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to the Certified EIR analyses are necessary.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will comply with the California

Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: As identified in the Certified EIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Amending the Specific Plan Planning Area 1 to allow warehousing, distribution, and/or manufacturing uses will not create greater landslide potential impacts than were identified in the Certified EIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: The proposed Specific Plan Amendment to change the land use designation of 10.49 acres of land, from Public School to Low-Medium Density Residential (5.1-11 du/ac) will not create greater erosion impacts than were identified in the Certified TOP EIR. Impacts will be less than significant with mitigation.

The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed nature of the Project site and the limited size and scope of the Project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion of Effects: The proposed GPA and SPA to change the land use designation of 10.49 acres of land, from Public School to Low-Medium Density Residential (5.1-11 du/ac) will not create greater landslide potential impacts than were identified in the Certified EIR. In addition, the associated projects would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated

with the project is less than significant. The Certified EIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial and eolian soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Certified EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. Moreover, results of the paleontological resources records search through the Natural History Museum of Los Angeles County (NHMLAC) indicate that there are no known vertebrate fossil localities or unique geological features that have been previously identified within the Project area or within a one-mile radius. The results of the literature review and the search at the NHMLAC indicate that the Project site has surficial sediments composed of younger Quaternary Alluvium, derived as alluvial fan deposits from the San Gabriel Mountains to the north or as dune sands. These deposits typically do not contain significant vertebrate fossils, at least in the uppermost layers, but they may be underlain by older sedimentary materials at estimated depths greater than 9 feet. Consequently, it is concluded that the proposed Project will not impact paleontological resources or unique geological features and, as such, no mitigation measures are recommended. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use. Additionally, the impact of buildout of The Ontario Plan on the environment due to the emission

of greenhouse gases (“GHGs”) was analyzed in the Certified EIR. According to the EIR, this impact would be significant and unavoidable (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan’s significant and unavoidable impacts, including that concerning the emission of greenhouse gases. Amending the Specific Plan Planning Area 6B to allow additional residential uses on the site will not create significantly greater impacts than were identified in the Certified EIR. Therefore, quantification of Project-specific GHG emissions is not required.

Additionally, pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in the Certified EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in the Certified EIR; (3) the proposed project is consistent with The Ontario Plan. The proposed impacts of the project were already analyzed in the Certified EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the Certified EIR and current energy efficiency standards. No changes or additions to the Certified EIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to TOP EIR analyses are necessary. The mitigation measures adopted as part of TOP EIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR’s MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: energy efficient design, efficient irrigation systems, and compliance with Title 24 of the California Code of Regulations.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use. The proposed Project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, State, and federal regulations. In addition, the proposed Project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City’s contribution of greenhouse gas emissions at build-out by fifteen percent, because the project is upholding the applicable City’s adopted mitigation measures as represented in 6-1 through 6-6 and energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations. The Project is consistent with the City’s Climate Action Plan. Therefore, the proposed Project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: The subject site was previously analyzed by TOP EIR as a Public School use. The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use. The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: The proposed project was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The site is located within the airport influence area but outside the airport safety zones. The proposed GPA and SPA to change the land use designation of 10.49 acres of land from Public School to Low-Medium Density Residential (5.1-11 du/ac) is compatible with the ALUCP. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. The grading and drainage of The Avenue Specific Plan area shall be designed to detain, filter, and treat surface runoff, in a manner and combination which is practical, to comply with the most recent requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management (WQMP) for significant new development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects may be minimized through the implementation of site designs that reduce runoff and pollutant transport by minimizing impervious surfaces and maximizing on-site infiltration, Source Control Best Management Practices (BMPs) and/or either on-site structural Treatment Control BMP's, or participation in regional or watershed-based Treatment Control BMPs. Prior to the issuance of a grading or construction permit, a Storm Water Pollution Prevention Plan (SWPPP) will also be prepared. The SWPPP will be prepared to comply with the California State Water Resources Control Board's (State Water Board) current, "General Permit to Discharge Storm Water Associated with Construction Activity" and the current Areawide Urban Storm Water Runoff (Regional NPDES Permit). The SWPPP will identify and detail all appropriate Best Management Practices (BMPs) to be implemented or installed during construction of the project. In addition to the preparation of a SWPPP for construction related activities, and as part of the approval of any grading plans within the Specific Plan Area, the applicant will be required to submit a Water Quality Management Plan (WQMP) on the regional model form provided by the City. The WQMP shall identify and detail all Site Design, Source Control, and Treatment Control BMPs to be implemented or installed at this site in order to reduce storm water pollutants and site runoff. All Priority Land Use (PLU) areas within the Specific Plan Area shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit. Drainage from such as a Debris Separating Baffle Box (DSBB), Continuous Deflective System (CDS), or an equivalent hydrodynamic separator which has been approved by the SWRCB. The Specific Plan area is located within the sub-watershed area of a regional storm water runoff treatment facility. This regional treatment facility serves as an alternative to complete on-site treatment of all pollutants of concern. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property was included in the Certified EIR analysis. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: No additional mitigation required.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

Discussion of Effects: It is not anticipated that the Project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site, nor will the proposed Project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the site will not be altered, and it will have no significant impact on downstream hydrology. Stormwater generated by the project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Substantially increase the rate or amount of surface runoff water in a manner which would result in flooding on- or off-site?

Discussion of Effects: The proposed Project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. The stormwater flows will enter an existing storm pipe in Jurupa Street. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" ("WQMP"), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Impede or redirect flood flows?

Discussion of Effects: Urbanization in the areas surrounding the project site have resulted in increased responsiveness of the basin to rainfall. The increase in impervious surfaces such as roofs, roads, and parking lots has resulted in a decrease in groundwater infiltration and larger storm surges. The Project site currently slopes southeast, and the existing drainage pattern is characterized by sheet flows that follow the slope to the northwest. The project site is not impacted by offsite flows. The project site is not located in a FEMA Firm Panel designated Flood Zone Risk, and according to the United States Fish and Wildlife Service National Wetlands Inventory ("NWI") no wetlands exist on the property. The Project could lead to the conversion of permeable surfaces to impermeable surfaces such as parking areas and building foundation areas. Any future development on the Project site would discharge onsite flows into an existing

storm drain facility. As such, the proposed project would not impede or redirect flood flows. With adherence to existing federal, state, and local regulation no changes to the existing flood flows would occur.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is dominated by Agricultural fallow fields and does not contain any vegetation associated with riparian features. No wetlands have been mapped on the project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to project inundation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion of Effects: The Regional Water Quality Control Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the region. Development allowed by the Project would be required to adhere to requirements of the water quality control plan, including all existing regulation and permitting requirements. This would include the incorporation of best management practices ("BMPs") to protect water quality during construction and operational periods. Development of the Project would be subject to all existing water quality regulations and programs, as described in the regulatory section above, including all applicable construction permits. Existing General Plan policies related to water quality would also be applicable to the Project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, would ensure that water quality impacts related to the Project would be less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding development. No adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use. Amending The Ontario Plan land use exhibits and the Specific Plan to allow residential uses on 10.49 acres of land will not create greater impacts than were identified in the Certified EIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

12. MINERAL RESOURCES. Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Discussion of Effects: The Project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

13. NOISE. Would the project result in:

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use and the Project will not expose people to or generate noise levels in excess of standards as established in the Certified EIR (Section 5.12). The subject site is surrounded by residential land uses, and the subject site is not within the landing approach of the Ontario International Airport. No additional analysis will be required at the time of site development review.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use and the uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. For a project located within the vicinity of a private airstrip or the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport (“ONT”) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (“ALUCP”) for ONT. The project site is located outside of the Safety, Noise Impact and Airspace Protection Zones. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

14. POPULATION & HOUSING. Would the project:

a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use. The proposed GPA and SPA to change the land use designation to Low-Medium Density residential (5.1-11 du/ac) on 10.49 acres of land will be in keeping with the surrounding land use designations. Given the limited scope of the project area and given that the related Tract Map (File No. PMTT19-015) is not proposing a high density land use and result in no more than 115 dwelling units in an area already characterized by residential land uses, no substantial impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain existing housing units and was previously designated as a Public School land use. Changing the permitted zoning and land use on the site from Public School to Low-Medium Density Residential will instead contribute to the number of available housing units rather than displace units.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

15. PUBLIC SERVICES. Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iii. Schools?

Discussion of Effects: Upon development, the Project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

iv. Parks?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project's related Tract Map (File No. PMTT19-015) proposes one-half acre of additional park land to be provided within the tract and will remit a Development Impact Fee to the City, for the construction of additional parkland elsewhere in the City. The Project will not cause a decline in the existing levels of service with the additional parkland to be provided, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

16. RECREATION. Would the project:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Discussion of Effects: This project proposing new park amenities to accompany the new housing units. No impacts are anticipated to local or regional recreation facilities.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: This project is proposing new housing units and a small recreational park to accompany it; however, given the small scope of the project at 10.49 acres, no significant impacts are anticipated above and beyond what was previously considered and addressed in the Certified EIR.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

17. TRANSPORTATION. Would the project:

a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a Public School use and is surrounded by residential land uses. The project is in a developed neighborhood with all

street improvements existing. As previously mentioned, a trip generation comparison was conducted by the City's Traffic Engineering Division and Urban Crossroads (Trip Generation Assessment, March 12, 2020) that evaluated the change in vehicle trips anticipated to be generated by the proposed conversion of the 20-acre middle school site into a 10-acre elementary school and 106 single-family detached dwelling units on the project site's 10 acres. The Trip Generation Study concluded that the proposed project (single-family dwellings and adjacent elementary school for the remaining parcel) is anticipated to generate 128 fewer trips than the previously-approved 20-acre middle school land use, with 88 fewer AM peak trips and 27 more PM peak trips.

Therefore, the traffic impacts will be consistent with and less than the traffic impacts projected and analyzed under the Certified EIR. The project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdiction are given until July 1, 2020 to develop and implement thresholds of significance criteria and methodologies for evaluating VMT under the new SB 743 requirements. The City of Ontario has adopted and established a VMT analysis threshold or analysis methodology based on our Policy Plan (General Plan) baseline. However, the project was submitted prior to the adoption of the threshold and therefore not subject to the adopted thresholds. Subsequently, The Ontario Plan EIR analyzed VMT, as part of the GHG analysis. The Ontario Plan (TOP) is consistent with the RTP/SCS for the Southern California region. The SBTAM model has incorporated TOP buildout which was then incorporated into the SCAG model in developing the RTP/SCS for the region. The thresholds used in these models can be found in the tool created for SBCTA that analyzes the various threshold options. TOP to establish VMT thresholds since this option has already been found to be consistent with the RTP/SCS and these land use assumptions have been incorporated into the SBTAM and SCAG's regional models. The screening tool created for use in San Bernardino County can be utilized for locations within Ontario where additional analysis is not required, and the City thresholds be used for projects where additional analysis is required. If mitigation measures are included for the project and the VMT brought down below the established threshold (City average), then the project can be determined to have less than a significant impact on transportation (in terms of CEQA). Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The Project is in an area that is already developed with a residential neighborhood. All street improvements are complete, and the related Tentative Tract Map (File No. PMTT19-015) and future Development Plan will be required to construct right-of-way improvements along the project frontages. The Project will therefore not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Result in inadequate emergency access?

Discussion of Effects: Development of the Project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

e. Result in inadequate parking capacity?

Discussion of Effects: The proposed GPA and SPA will not affect the parking capacity in the Specific Plan. The future Development Plan to construct 106 single-family residential dwelling units will be required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as a public school land use and is not listed in the California Register of Historic Resources or local register of historical resources. The proposed GPA and SPA will allow for 10.49 acres of land to be developed for residential purposes. The degree of land disturbance resulting from residential development activities would be of no greater than those previously identified in the Certified EIR. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. On July 22, 2020, the Lead Agency notified the tribes located within the territory of the Project Site, per the requirements of SB 18 and AB 52, and concluded consultations on October 14, 2020. No impacts are anticipated through Project implementation beyond those identified in the Certified EIR.

Mitigation: No new mitigation measures are required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Discussion of Effects: The project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects. Wastewater is treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and future development of this Project site will not cause RP-1 to

exceed capacity. The Project will therefore not require the construction of new water or wastewater treatment facilities, or the expansion of existing facilities. No impacts are anticipated.

Mater Plan storm drain facilities were installed in conjunction with previous surrounding development. Additionally, the Project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. No impacts are anticipated.

As discussed in the energy section above, the Project will have less than significant impacts with regard to electric power and natural gas. In addition, the Project will not have an impact on telecommunications facilities. Therefore, no impacts are anticipated beyond those previously analyzed in the Certified EIR.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: The Project site is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and future development of this project site will not cause RP-1 to exceed capacity. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to analyses are necessary.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion of Effects: This Project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: Wildfire impacts were not analyzed in the Certified EIR. A discussion of potential wildfire impacts is provided herein.

The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The Project does not have impacts that are cumulatively considerable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

EARLIER ANALYSES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) **Earlier Analyses Used.** Identify earlier analyses used and state where they are available for review.
 - a) The Ontario Plan Final EIR (SCH# 2008101140)
 - b) The Ontario Plan
 - c) The Avenue Specific Plan
 - d) The Avenue Specific Plan EIR (SCH# 2005071109)
 - e) City of Ontario Official Zoning Map
 - f) City of Ontario Development Code
 - g) Ontario International Airport Land Use Compatibility Plan
 - h) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

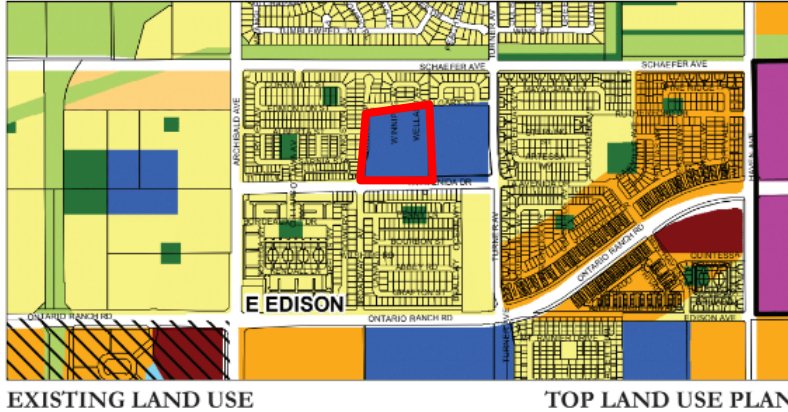
MITIGATION MEASURES

(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

The Mitigation Measures contained in the Certified EIR adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the attached Mitigation Monitoring Program.

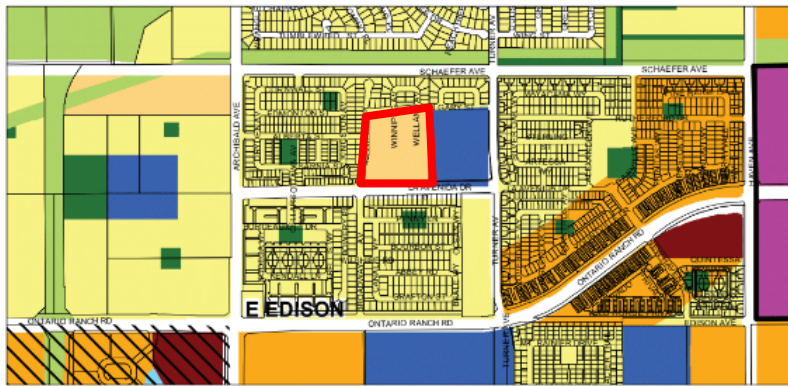
No additional mitigation beyond that previously imposed is required.

Exhibit A
File No. PGPA19-006
Proposed General Plan Amendment



EXISTING LAND USE

TOP LAND USE PLAN



PROPOSED LAND USE

TOP LAND USE PLAN

LEGEND

Residential

- Rural (0 - 2 du/ac)
- Low Density (2.1 - 5 du / ac)
- Low-Medium Density (5.1 - 11 du / ac)
- Medium Density (11.1 - 25 du / ac)
- High Density (25.1 - 45 du / ac)

Mixed Use

- Mixed Use
 - 1. Downtown
 - 2. East Hill
 - 3. Meredith
 - 4. Multimodal Mixed Use
 - 5. Inland Empire Corridor
 - 6. Guast
 - 7. Ontario Center
 - 8. Ontario Mills
 - 9. NMAC East
 - 10. NMAC West
 - 11. Euclid/Francis
 - 12. 60th-Hammer

Retail/Service

- Neighborhood Commercial (0.4 FAR)
- General Commercial (0.4 FAR)
- Office Commercial (0.75 FAR)
- Hospitality (1.0 FAR)

Employment

- Business Park (0.6 FAR)
- Industrial (0.55 FAR)

Other

- Open Space - Non Recreation
- Open Space - Parkland
- Open Space - Water
- Public Facility
- Public School
- Airport
- Rail
- Landfill

Overlays

- Business Park
- Industrial
- Commercial
- I-10/Grove Interchange Area
- Lan
- Chil

Exhibit B
File No. PGPA19-006
Modified Future Buildout Table

****NEED UPDATED TABLE – waiting for tom to confirm****



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,058	4,231		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium Density ⁶	982	8.5 du/ac	8,343	33,348		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
<i>Subtotal</i>	10,846		84,601	315,084		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 47% of the area at 39.46 du/ac • 48% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	1,725	3,450	832,497	975
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at 0.70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.50 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.50 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.70 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.30 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/Hammer Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
<i>Subtotal</i>	1,668		16,054	32,107	34,582,545	71,896



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	281	0.30 FAR			3,671,585	8,884
General Commercial	477	0.30 FAR			6,229,385	5,787
Office/Commercial	490	0.75 FAR			16,018,428	35,523
Hospitality	142	1.00 FAR			6,177,679	7,082
<i>Subtotal</i>	1,390 1,379				32,097,077 31,729,213	57,276 56,461
Employment						
Business Park	1,531	0.40 FAR			26,676,301	46,803
Industrial	6,446	0.55 FAR			154,428,405	135,684
	6,457				154,698,172	135,921
<i>Subtotal</i>	7,977 7,988				181,104,705 181,374,472	182,487 182,724
Other						
Open Space-Non-Recreation	1,232	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
<i>Subtotal</i>	9,906					
Total	31,786		100,654	347,190	247,784,328 247,686,231	311,659 311,080

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

Mitigation Monitoring Program for The Ontario Plan Environmental Impact Report

1. Introduction

1.1 PURPOSE OF MITIGATION MONITORING PROGRAM

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in The Ontario Plan Environmental Impact Report (EIR), State Clearinghouse No. 2008101140. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Ontario Monitoring Requirements. Section 21081.6 states:

(a) When making the findings required by paragraph (1) of subdivision subsection (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

1.2 PROJECT SUMMARY

The proposed project is the preparation of The Ontario Plan, which consists of a Vision, Governance Manual, Policy Plan, City Council Priorities, Implementation Plans, and Tracking and Feedback. The Ontario Plan integrates components of city governance documents into a single guidance system that shapes the community 20 years or more into the future.

(a) The Ontario **Vision** describes the future community of Ontario. Its basic purpose is to improve the quality of life for the people of Ontario. It is the rationale and motivation for everything the City does.

(b) The **Governance Manual** describes the foundation for conducting the public's business on behalf of the present and future people of Ontario. It explains how The Ontario Plan is a tool for decision-making and communication.

(c) **City Council Priorities** define the short-term direction in City actions and initiatives. They are the primary means for exercising leadership in carrying out The Plan and realizing the Vision.

(d) The **Policy Plan** connects intent with action through the broad range of Goals and Policies that would guide the long-term growth and development required for the City to achieve its Vision. It also satisfies the California Government Code requirement for a general plan. Figure 3-6, *Proposed Land Use Plan*, shows the proposed General Plan land use designations that guide and regulate land use patterns, distributions, densities and intensities in the City of Ontario, including residential employment, retail, recreation, and public uses.

(e) **Implementation** consists of actions taken to carry out Plan policies. This includes initiatives by the City and decisions on public and private development projects.

(f) **Tracking and Feedback** allows the City to learn from experience and redirect efforts.

Pursuant to CEQA Guidelines Section 15064(d), the EIR considers the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focuses on impacts from changes to land use associated with buildout of the Proposed Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The Ontario Plan Proposed Land Use Plan for the ultimate development of the City is not linked to a timeline. However, for the purpose of this environmental analysis, buildout of the Proposed Land Use Plan is forecast for the year 2035.

1.3 PROJECT LOCATION

The City of Ontario is in the southwestern corner of San Bernardino County and is surrounded by the Cities of Chino and Montclair, and unincorporated areas of San Bernardino County to the west; the Cities of Upland and Rancho Cucamonga to the north; the City of Fontana and unincorporated land in San Bernardino County to the east; and unincorporated Riverside County land to the south. The City is in the central part of the Upper Santa Ana River Valley. This portion of the valley is bounded by the San Gabriel Mountains to the north; the Chino Hills, Puente Hills, and San Jose Hills to the west; the Santa Ana River to the south; and Lytle Creek Wash on the east.

The City comprises approximately 50 square miles (31,958 acres), which includes the 8,200-acre New Model Colony (NMC) in the southern portion of the City (formerly the City's Sphere of Influence). The northern urbanized portion of the City is known as the Original Model Colony (OMC). The City is generally bounded by Benson Avenue and Euclid Avenue on the west; Interstate 10 (I-10), 8th Street, and 4th Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. Regional circulation to and through the City is provided by I-10 and State Route 60 (SR-60) east-west, and by I-15 and SR-83 (Euclid Avenue) north-south.

1.4 ENVIRONMENTAL IMPACTS

The environmental document for this project is a "program EIR" as defined by State CEQA Guidelines (Section 15161, California Code of Regulations, Title 14, Division 6, Chapter 3). As provided in Section 15168 of the State CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project that are related either 1) geographically; 2) as logical parts of a

chain of contemplated events; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and have generally similar environmental effects that can be mitigated in similar ways.

Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program's effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (Guidelines Section 15168[c]). When a Program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (Guidelines Section 15168[c][1]). If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the EIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

1.4.1 Impacts Considered Less Than Significant

Ten environmental categories are identified as having less than significant impacts that do not require mitigation. These categories are:

- Aesthetics
- Biological Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use & Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation

1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened

The following have been identified as potentially resulting in significant adverse impacts that can be mitigated, avoided, or substantially lessened:

- Cultural Resources: Mitigation Measures 5-2 through 5-4 would reduce archeological and prehistoric cultural resource impacts to less than significant.
- Noise: Mitigation Measure 12-3 would ensure that any new vibration-sensitive structures near the Union Pacific Railroad or Southern California Regional Rail Authority right-of-way would be constructed so that train-related vibration would not be perceptible and operational vibration impacts would be less than significant.
- Utilities and Service Systems: Mitigation Measures 17-1 through 17-4 would reduce impacts on water supply and demand from buildout of The Ontario Plan to less than significant.

1.4.3 Unavoidable Significant Adverse Impacts

There are six environmental categories considered to have impacts that would be significant and unavoidable and would not be lessened through mitigation.

Agricultural Resources

Buildout of The Ontario Plan would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, impacts to Farmland would remain significant and unavoidable.

There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of The Ontario Plan would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the rate of conversion from agricultural to nonagricultural land, but it would not impede the conversion. Since there are some Williamson Act contracts still active in the New Model Colony, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, impacts to Williamson Act contracts would remain significant and unavoidable.

Development of the City in accordance with The Ontario Plan would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture and impacts would remain significant and unavoidable.

Air Quality

The project would not be consistent with the Air Quality Management Plan (AQMP) because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SoCAB). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and therefore these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the project would be considered inconsistent with the AQMP. Consequently, this impact would remain significant and unavoidable.

Construction activities associated with buildout of The Ontario Plan would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for ozone (O₃), coarse inhalable particulate matter (PM₁₀), and fine inhalable particulate matter (PM_{2.5}); and potentially elevate concentrations of air pollutants at sensitive receptors. Mitigation Measure 3-1 would reduce The Ontario Plan's short-term construction-related volatile organic compounds (VOC), carbon monoxide (CO), oxides of nitrogen (NO_x), PM₁₀, and PM_{2.5} emissions but they would not be reduced to levels below the SCAQMD's regional thresholds and they would not reduce these impacts to less than significant. Consequently, construction air pollutant emissions generated by buildout of The Ontario Plan would remain significant and unavoidable.

Buildout of The Ontario Plan would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O₃, PM₁₀, and PM_{2.5}. Mitigation Measure 3-2 would reduce long-term operational emissions of VOC, CO, NO_x, PM₁₀, and PM_{2.5} related to the buildout of The Ontario Plan but they would not reduce these emissions to levels below the SCAQMD's regional significance thresholds and impacts would not be less than significant. Consequently, operational impacts from buildout of The Ontario Plan would remain significant and unavoidable.

Approval of residential and other sensitive land uses within 500 feet of Interstate-10, Interstate-15, or State Route-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Mitigation Measure 3-3 would reduce impacts related to the exposure of sensitive receptors (residential and other sensitive land uses) to diesel particulate matter because of their placement near freeways within the City. However, it would not reduce this impact to be less than significant.

Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors and impacts would remain significant and unavoidable.

Cultural Resources

Although protective regulations are in place and preservation policies are included in The Ontario Plan, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, demolition of historical resources categorized under the Ordinance as Tier III could potentially be impacted with implementation of the Proposed Land Use Plan. Consequently, Tier III historic resource impacts would remain significant and unavoidable.

Global Climate Change

Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. Greenhouse gas (GHG) emissions generated in the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Mitigation Measures 6-1 through 6-6 would act to reduce the contributions of The Ontario Plan to global climate change but they would not reduce the impacts to less than significant.

Noise

Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, impacts would remain significant and unavoidable.

Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any siting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion would result in a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. Mitigation Measure 12-1 would decrease the exposure of sensitive receptors to excessive noise levels within 65 dBA CNEL contours, whether near Los Angeles/Ontario International Airport (LAONT) or other noise-producing areas such as freeways and railroads, but it would not reduce these impacts to less than significant.

Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of groundborne vibration. Mitigation Measure 12-2 would reduce the impacts caused by construction-related vibrations on sensitive receptors but it would not reduce the impact to less than significant.

Impact 5.12-5. Significant. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Mitigation Measure 12-4 calls for the use of noise-reducing techniques during construction projects that would impact nearby sensitive receptors, such as the use of temporary sound walls and reduced unnecessary truck idling. However, these impacts would not be reduced to levels considered less than significant.

Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, impacts would remain significant and unavoidable.

Transportation and Traffic

The increased development and population growth associated with the buildout of the Proposed Land Use Plan would cause deficient levels of service at area intersections without implementation of the recommended lane geometry improvements. In addition, buildout of the Proposed Land Use Plan would also cumulatively contribute to the cumulatively significant freeway level of service impact that is already projected to occur in the future. Mitigation Measure 16-1 would require the buildout of The Ontario Plan to be consistent with the traffic study prepared by Kimley-Horn and Associates. This traffic study indicates the appropriate lane geometry for area intersections. This would allow for intersections to have LOS values of E or above, but it would not improve the cumulative freeway LOS standards to appropriate levels. The City has no jurisdiction over Caltrans projects, such as freeway improvements. Therefore, the impacts related to cumulative LOS deficiencies on freeways would not be reduced to levels considered less than significant.

2. Mitigation Monitoring Process

2.1 MITIGATION MONITORING PROGRAM ORGANIZATION

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring Program (MMP). In order to effectively track and document the status of mitigation measures, a mitigation matrix has been prepared and includes:

- Responsibility for implementation
- Timing
- Responsibility for monitoring
- Monitor

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

- Prior to project approval
- Prior to issuance of grading permit(s)
- During construction

Information pertaining to compliance with mitigation measures or any necessary modifications or refinements will be documented in the comments portion of the matrix.

2.2 MITIGATION MONITORING PROCEDURES

The City of Ontario Planning Department is the designated lead agency for the Mitigation Monitoring and Reporting Program. The City of Ontario includes the Mitigation Measures within the Special Conditions of Approval. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The Planning Department shall designate a Project Mitigation Monitor for the proposed project.

2.2.1 In-Field Monitoring

The Responsible Monitoring Party shall exercise caution and professional practices at all times when monitoring construction. Protective wear (hard hats, glasses, etc.) shall be worn at all times in construction areas. Injuries shall be reported immediately to the Project Mitigation Monitor.

2.2.2 Coordination with Contractors

The construction manager/superintendent is responsible for coordination of contractors and for contractor completion of required measures in accordance with the provisions of this program.

2.2.3 Recognized Experts

The use of recognized experts as a component of the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. While the recognized experts assess compliance with required mitigation measures, consultation with the City of Ontario planning staff shall take place in the event of a dispute.

2.2.4 Enforcement

Agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, loss of entitlements, refusal to issue building permits or certificates of use and occupancy or, in some cases, notice of violation for tax purposes. Criminal misdemeanor sanctions could be available where the agency has adopted an ordinance requiring compliance with the monitoring program, similar to the provision in many zoning ordinances that affirm the enforcement power to bring suit against violators of the ordinances.

3. Mitigation Monitoring Requirements

3.1 CATEGORIZED MITIGATION MEASURES/MATRIX

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

3.2 IN-FIELD MONITORING

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

3.3 DATABASE MANAGEMENT

All mitigation monitoring reports, letters, and memos shall be prepared using Microsoft Word software on IBM-compatible PCs and processed according to the City's Environmental Compliance Program.

3.4 COORDINATION WITH CONTRACTORS

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

3.5 LONG-TERM MONITORING

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the Ontario Fire Department.

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
5.3 AIR QUALITY				
<p>3-1 The City of Ontario Building Department shall require that all new construction projects incorporate feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:</p> <ul style="list-style-type: none"> • Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as: <ul style="list-style-type: none"> ○ Requiring use of nontoxic soil stabilizers to reduce wind erosion. ○ Applying water every four hours to active soil-disturbing activities. ○ Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. • Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits. • Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards. • Limiting nonessential idling of construction equipment to no more than five consecutive minutes. • Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf . 	<p>City of Ontario Building Department in coordination with the landowner/project applicant's construction contractor</p>	<p>During construction</p>	<p>City of Ontario Building and Department and Developer/Contractor</p>	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
3-2 The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).	City of Ontario Planning/Engineering Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
3-3 The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's <i>Air Quality and Land Use Handbook: A Community Health Perspective</i> (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.	City of Ontario Planning Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
5.5 CULTURAL RESOURCES				
5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of plan or development approvals.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
5-2 In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:	City of Ontario Planning Department in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities. • Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director or designee is satisfied that adequate provisions are in place to protect these resources. • Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers. 				
<p>5-3 Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.</p>	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
<p>5-4 Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant</p>	City of Ontario Planning Department in coordination with the	Prior to issuance of grading permit(s)	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.	Landowner/Project Applicant			
5.6 Global Climate Change				
<p>6-1 The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:</p> <ul style="list-style-type: none"> • Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on-schedule to achieve the GHG reduction targets, additional measured shall be implemented, as identified in the CAP. 	City of Ontario	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department/ Municipal Utilities Agency (MUA)	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community. ○ The City shall define a “business as usual” scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario. ● Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City: <ul style="list-style-type: none"> ○ A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32. ○ A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions. ○ A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions. 				
<p>6-2 The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be</p>	City of Ontario Planning Department	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):</p> <ul style="list-style-type: none"> • Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria. • Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency. • Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris. • Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling. • Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate. • Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City. • Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City. • Install energy efficient lighting and lighting control systems in all municipal buildings. • Require all new traffic lights installed be energy efficient traffic signals. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system. • Require all new landscaping irrigation systems installed within the City to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. • Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization. • Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions. • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping. • Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking. • Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Facilitate employment opportunities that minimize the need for private vehicle trips, by: <ul style="list-style-type: none"> ○ Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. ○ Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. • Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events. • Support and promote the use of low-and zero-emission vehicles, by: <ul style="list-style-type: none"> ○ Encouraging the necessary infrastructure to facilitate the use of zero- emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. ○ Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). ○ Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. ○ Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles. • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA). • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques. • Support the use of green building practices by: <ul style="list-style-type: none"> ○ Providing information, marketing, training, and technical assistance about green building practices. ○ Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development. ○ Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including: <ul style="list-style-type: none"> ○ Standards for the installation of "cool roofs". ○ Standards for improved overall efficiency of lighting systems. ○ Requirements for the use of Energy Star appliances and fixtures in discretionary new development. • Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Establish policies and programs that facilitate the siting of new renewable energy generation. • Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. • Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: <ul style="list-style-type: none"> ○ Conducting energy audits. ○ Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass. ○ Implementing an energy tracking and management system for its municipal facilities. ○ Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. ○ Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. ○ Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). ○ Installing Energy Star® appliances and energy-efficient vending machines. ○ Improving water use efficiency, including a schedule to replace or retrofit system components 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>with high- efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).</p> <ul style="list-style-type: none"> ○ Installing irrigation control systems which maximize water use efficiency and minimize off- peak use. ○ Adopting an accelerated replacement schedule for energy inefficient systems and components. • Ensure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including: <ul style="list-style-type: none"> ○ Providing energy efficiency training to design, engineering, building operations, and maintenance staff. ○ Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use. ○ Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards. • Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users. • Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel-efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models. • Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.</p> <ul style="list-style-type: none"> • Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel. • Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices. • Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping and will install or replace vegetation with drought-tolerant, low- maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects. • Implement enhanced programs to divert solid waste from landfill operations, by: <ul style="list-style-type: none"> ○ Establishing a diversion target which meets or exceeds AB 939 requirements. ○ Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced. • Reduce per capita water consumption consistent with state law by 2020. • Establish a water conservation plan that may include such policies and actions as: <ul style="list-style-type: none"> ○ Maintaining and refining the City's tiered rate structure for water use. ○ Establishing restrictions on time of use for landscape watering, or other demand management strategies. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing performance standards for irrigation equipment and water fixtures, consistent with state law. • Establish programs and policies to increase the use of recycled water, including: <ul style="list-style-type: none"> ○ Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. • Ensure that building standards and permit approval processes promote and support water conservation, by: <ul style="list-style-type: none"> ○ Establishing building design guidelines and criteria to promote water-efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s). ○ Establishing menus and checklists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances. • Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling drop-off events and neighborhood chipping/mulching days. • Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>6-3 The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:</p> <ul style="list-style-type: none"> • Increase densities in urban core areas to support public transit, by, among other means: <ul style="list-style-type: none"> ○ Removing barriers to the development of accessory dwelling units in existing residential neighborhoods. • Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation. • Add bicycle facilities to city streets and public spaces, where feasible. • Promote infill, mixed-use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones. • Plan for and create incentives for mixed-use development. • Identify sites suitable for mixed-use development and establish appropriate site- specific standards to accommodate mixed uses which could include: <ul style="list-style-type: none"> ○ Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so. ○ Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development. ○ Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops. 	<p>City of Ontario Planning Department</p>	<p>Within 18 months of adopting The Ontario Plan</p>	<p>City of Ontario Planning Department</p>	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Allowing for tandem parking, shared parking and off-site parking leases. • Enable prototype mixed-use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling. • Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses. • Revise zoning ordinance(s) to allow local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use. • Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use. • Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non- residential uses within a quarter mile of transit centers or corridors. • Identify transit centers appropriate for mixed-use development, and promote transit-oriented, mixed-use development within these targeted areas, by: <ul style="list-style-type: none"> ○ Providing maximum parking standards and flexible building height limitations. ○ Providing density bonus programs. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing guidelines for private and public spaces for transit-oriented and mixed-use development. ○ Discouraging auto-oriented development. • Ensure new development is designed to make public transit a viable choice for residents, including: <ul style="list-style-type: none"> ○ Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes. ○ Locating medium to high density development near streets served by public transit whenever feasible. ○ Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths. • Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use. • Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed-use and transit-oriented development areas, by: <ul style="list-style-type: none"> ○ Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking. ○ Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape. ○ Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic. ○ Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage non- motorized travel. ● Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit- oriented development areas, by: <ul style="list-style-type: none"> ○ Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, and thoroughfares. ○ Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures. ○ Locating schools in neighborhoods, within safe and easy walking distances of residences served. ○ Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear. ○ Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway. ○ Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards. • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping, by: <ul style="list-style-type: none"> ○ Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas. ○ Establishing standards that provide for pervious pavement options. ○ Removing obstacles to natural, drought tolerant landscaping and low-water landscaping. • Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking, including, but not limited to: <ul style="list-style-type: none"> ○ Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. • Upgrade and maintain the following transit system infrastructure to enhance public use, including: <ul style="list-style-type: none"> ○ Ensuring transit stops and bus lanes are safe, convenient, clean and efficient. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Ensuring transit stops have clearly marked street-level designation, and are accessible. ○ Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate. ○ Working with transit providers to place transit stations along transit corridors within mixed-use or transit- oriented development areas at intervals appropriate for the mode of transit. ● Facilitate employment opportunities that minimize the need for private vehicle trips, by: <ul style="list-style-type: none"> ○ Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. ○ Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. ● Establish standards for new development and redevelopment projects to support bicycle use, including: <ul style="list-style-type: none"> ○ Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including: <ul style="list-style-type: none"> ➤ Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible. ○ Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including: <ul style="list-style-type: none"> ➤ Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Establish a network of multi-use trails to facilitate direct off- street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations. • Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events. • Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels. • Support and promote the use of low-and zero-emission vehicles (NEV), by: <ul style="list-style-type: none"> ○ Encouraging the necessary infrastructure to facilitate the use of zero- emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. ○ Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). ○ Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. ○ Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles. • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>green building practices where not prohibited by ALUCP/FAA.</p> <ul style="list-style-type: none"> • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques. • Support the use of green building practices by: <ul style="list-style-type: none"> ○ Establishing guidelines for green building practices in residential and commercial development. ○ Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices. • Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including: <ul style="list-style-type: none"> ○ Standards for the installation of "cool roofs". ○ Standards for improved overall efficiency of lighting systems. ○ Requirements for the use of Energy Star appliances and fixtures in discretionary new development. ○ Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy. • Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> • Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas). • Identify and remove or otherwise address barriers to renewable energy production, including: <ul style="list-style-type: none"> ○ Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers. ○ Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies. ○ Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air. • Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values. • Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate. • Require that, where feasible, all new buildings be constructed to allow for easy, cost-effective installation of solar energy systems in the future, using such “solar-ready” features as: <ul style="list-style-type: none"> ○ Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south-sloped roof surface, where such buildings architecture and construction are designed for sloped roofs. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof. ○ Roof framing that will support the addition of solar panels. ○ Installation of electrical conduit to accept solar electric system wiring. ○ Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank. ● Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. ● Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: <ul style="list-style-type: none"> ○ Conducting energy audits. ○ Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass. ○ Implementing an energy tracking and management system for its municipal facilities. ○ Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. ○ Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). ○ Installing Energy Star® appliances and energy-efficient vending machines. ○ Improving water use efficiency, including a schedule to replace or retrofit system components with high- efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.). ○ Installing irrigation control systems maximizing water use efficiency and minimizing off- peak use. ○ Adopting an accelerated replacement schedule for energy inefficient systems and components. ● Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as: <ul style="list-style-type: none"> ○ The Energy Star® New Homes Program established by U.S. EPA. ○ The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating. ● Reduce per capita water consumption consistent with state law by 2020. ● Establish a water conservation plan that may include such policies and actions as: <ul style="list-style-type: none"> ○ Maintaining and refining the City's tiered rate structure for water use. ○ Establishing restrictions on time of use for landscape watering, or other demand management strategies. 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law. • The City will establish programs and policies to increase the use of recycled water, including: <ul style="list-style-type: none"> ○ Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. • Ensure that building standards and permit approval processes promote and support water conservation, by: <ul style="list-style-type: none"> ○ Establishing building design guidelines and criteria to promote water-efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s). ○ Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low- flow toilets and shower heads, moisture-sensing irrigation, and other such advances. • Install water-efficient landscapes and irrigation, including: <ul style="list-style-type: none"> ○ Requiring planting drought-tolerant and native species, and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite. ○ Requiring the installation of water-efficient irrigation systems and devices, including advanced technology such as moisture-sensing irrigation controls. • Promote the planting of shade trees and establish shade tree guidelines and specifications, including: 				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<ul style="list-style-type: none"> ○ Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.). ○ Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc. ○ Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun. • Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including: <ul style="list-style-type: none"> ○ Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low-VOC- producing trees, and emphasizing the use of drought- tolerant native trees and vegetation. 				
6-4 Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).	City of Ontario Planning Department	Prior to adoption of the Climate Action Plan	City of Ontario Planning Department	
6-5 Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
5.12 NOISE				

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>12-1 Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).</p>	<p>City of Ontario Planning/Building Department in coordination with the Landowner/Project Applicant</p>	<p>Prior to individual project approvals</p>	<p>City of Ontario Planning/Building Department</p>	
<p>12-2 Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).</p>	<p>City of Ontario Planning/Building/MUA Department in coordination with the Landowner/Project Applicant's construction contractor</p>	<p>During construction</p>	<p>City of Ontario Building/MUA Department</p>	
<p>12-3 Prior to the issuance of building permits for any project that involves a vibration-sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB</p>	<p>City of Ontario Planning/Building Department with collaboration with the Landowner/Project Applicant</p>	<p>Prior to individual project approvals</p>	<p>City of Ontario Building Department</p>	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.				
12-4 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing non-essential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.	City of Ontario Building/Planning/MUA Department in coordination with the Landowner/Project Applicant's construction contractor	During construction	City of Ontario Building/Planning/MUA Department	
5.16 TRANSPORTATION AND CIRCULATION				
16-1 The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates in 2009. Table 5.16-6 in Section 5.16, <i>Transportation and Traffic</i> , shows the recommended lane geometry for the Proposed Land Use Plan.	City of Ontario Engineering/Planning Department	Ongoing	City of Ontario Engineering/Planning Department	
5.17 UTILITIES AND SERVICE SYSTEMS				
17-1 The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to: <ul style="list-style-type: none"> • Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council). • Continue to develop and implement drought contingency plans to assist citizens and businesses 	City of Ontario Planning/MUA Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	

Table 3-1 Mitigation Monitoring Requirements				
Mitigation Measure	Responsibility for Implementation	Timing	Responsibility for Monitoring	Monitor (Signature Required) (Date of Compliance)
<p>reduce water use during water shortages and emergencies.</p> <ul style="list-style-type: none"> Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB 1881. 				
<p>17-2 The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual-system office and industrial uses in selected urban areas of the City, where available and feasible.</p>	<p>City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department</p>	<p>Ongoing</p>	<p>City of Ontario Planning/MUA/Engineering Department</p>	
<p>17-3 The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long-term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.</p>	<p>City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department</p>	<p>Ongoing</p>	<p>City of Ontario Planning/MUA/Engineering Department</p>	



March 12, 2020

Mr. Jason Lee
Distinguished Homes
8101 E. Kaiser Boulevard, Suite 140
Anaheim Hills, CA 92808

SUBJECT: THE AVENUE SPECIFIC PLAN AMENDMENT TRIP GENERATION ASSESSMENT

Dear Mr. Jason Lee:

Urban Crossroads, Inc. is pleased to submit this Trip Generation Assessment for the proposed The Avenue Specific Plan Amendment (referred to as "Project"). The Project is located north of Edison Avenue between Carpenter Avenue and Haven Avenue in the City of Ontario.

The purpose of this letter is to evaluate the change in vehicle trips anticipated to be generated by the proposed conversion of the 20-acre middle school site to a 10-acre element school and 110 single-family detached dwelling units within the remaining 10-acres.

PROJECT OVERVIEW

The proposed land use changes are within Planning Areas (PA) 6B and 9B of The Avenue Specific Plan. As currently approved in The Avenue Specific Plan Amendment Traffic Impact Analysis, (August 27, 2008, Urban Crossroads, Inc.), PA-6B and PA-9B are together designated as a middle school site on 20-acres. The proposed Project consists of converting PA-6B into 110 single-family detached residential dwelling units on 10-acres and converting PA-9B into an elementary school site (10-acres). The Project site is located within the Mountain View School District.

PROJECT TRIP GENERATION

The trip generation rates used for this analysis are based upon information collected by the Institute of Transportation Engineers (ITE) as provided in their Trip Generation Manual, 10th Edition, 2017.

For purposes of this analysis, the following Land Use Codes have been utilized:

- ITE Land Use Code 210 (Single-Family Detached Housing)
- ITE Land Use Code 520 (Elementary School)
- ITE Land Use Code 522 (Middle School)

According to the Mountain View School District School Facilities Needs Analysis, dated August 8, 2018, the student capacity is 800 students for an elementary school (on a 10.60-acre site) and 1,200 students for a middle school (on a 21.30-acre site). The Mountain View School District has determined that future elementary school facilities will be designed to accommodate 800 students and future middle school facilities will be designed to accommodate 1,200 students. Trip generation for the currently approved middle school and the proposed elementary school have been based upon these student capacities.

CURRENTLY APPROVED TRIP GENERATION

A summary of the currently approved trip generation is shown in Table 1. As shown in Table 1, the proposed Project is anticipated to generate 2,556 weekday trip-ends per day, with 696 AM peak hour trips and 204 PM peak hour trips.

TABLE 1: CURRENTLY APPROVED TRIP GENERATION SUMMARY

Land Use	Units ²	ITE LU Code	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Trip Generation Rates¹									
Middle School	STU	522	0.31	0.27	0.58	0.08	0.09	0.17	2.13

Land Use	Quantity	Units ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Trip Generation Summary									
Middle School ³	1,200	STU	376	320	696	100	104	204	2,556

¹ Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, Tenth Edition (2017).

² STU = Students

³ Student capacity obtained from Table 10 of the Mountain View School District School Facilities Needs Analysis.

PROPOSED PROJECT TRIP GENERATION

Table 2 provides a summary of the proposed Project trip generation. As shown in Table 2, the proposed Project is anticipated to generate 2,466 weekday trip-ends per day, with 610 AM peak hour trips and 236 PM peak hour trips.

TABLE 2: PROPOSED PROJECT TRIP GENERATION SUMMARY

Land Use	Units ²	ITE LU Code	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Trip Generation Rates¹									
Single-Family Detached Housing	DU	210	0.19	0.56	0.74	0.62	0.37	0.99	9.44
Elementary School	STU	520	0.36	0.31	0.67	0.08	0.09	0.17	1.89

Land Use	Quantity	Units ²	AM Peak Hour			PM Peak Hour			Daily
			In	Out	Total	In	Out	Total	
Trip Generation Summary									
Single-Family Detached Housing	110	DU	20	61	81	69	40	109	1,038
Internal Capture (8%) ³			-2	-5	-7	-6	-3	-9	-84
Elementary School ⁴	800	STU	289	247	536	65	71	136	1,512
Total			307	303	610	128	108	236	2,466

¹ Trip Generation Source: Institute of Transportation Engineers (ITE), Trip Generation Manual, Tenth Edition (2017).

² DU = Dwelling Units; STU = Students

³ Internal Capture percentage obtained from The Avenue Specific Plan Amendment Traffic Impact Analysis, dated August 27, 2008 prepared by Urban Crossroads, Inc.

⁴ Student capacity obtained from Table 10 of the Mountain View School District School Facilities Needs Analysis.

TRIP GENERATION COMPARISON

As shown in Table 3, based on a comparison of the trip generation from the currently approved specific plan and the proposed Project, the proposed Project is anticipated to generate 90 fewer daily trips, with 86 fewer AM peak hour trips and an increase of 32 PM peak hour trips.

Mr. Jason Lee
Distinguished Homes
March 12, 2020
Page 4 of 4

TABLE 3: TRIP GENERATION COMPARISON

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Total Currently Approved	376	320	696	100	104	204	2,556
Total Proposed Project	307	303	610	128	108	236	2,466
NET DIFFERENCE	-69	-17	-86	28	4	32	-90

If you have any questions, please do not hesitate to contact me at (714) 389-6635.

Sincerely,

URBAN CROSSROADS, INC.



Connor Paquin, PE
Transportation Engineer



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PMTT19-015

DESCRIPTION: A Tentative Tract Map to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots, located at the northeast corner of La Avenida Drive and Manitoba Place, within the proposed Low-Medium Density land use district of The Avenue Specific Plan 0218-652-27; **submitted by Ontario Schaefer Holdings, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

ONTARIO SCHAEFER HOLDINGS, LLC, (herein after referred to as “Applicant”) has filed an application requesting Tentative Tract Map approval, File No. PMTT19-015 (TTM 20298), as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 10.49 acres of land located at the northeast corner of Manitoba Place and La Avenida Drive, and is depicted in Exhibit A—Project Aerial, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Existing: Public School Proposed: Low-Medium Density Residential (5.1-11 du/ac)	The Avenue Specific Plan	Existing: School Proposed: Low-Medium Density Residential (PA-6B)
<i>North</i>	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential (PA-6A)
<i>South</i>	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential (PA-8A)
<i>East</i>	Vacant	Public School	The Avenue Specific Plan	School (PA-9B)
<i>West</i>	Single-Family Residential	Low-Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Low Density Residential (PA-6A)

(2) **Project Description:**

(a) Background — The Avenue Specific Plan (“TASP,” File No. PSP05-003) was approved, and the related Environmental Impact Report (“EIR”; SCH# 2005071109) was certified, by the City Council on February 16, 2007. TASP established the land use designations, development standards, and design guidelines on 569 acres of land, which included the potential development of 2,875 dwelling units and approximately 103 acres of land dedicated to elementary and middle schools.

In 2010, The Ontario Plan (“TOP”) was adopted, which set forth the land use pattern for the City, to achieve its Vision. With the adoption of TOP, a Low-Density Residential land use designation was assigned to the Project site.

On October 3, 2019, the Applicant submitted three applications to facilitate the future construction of 106 single-family dwellings, which are described below.

- A General Plan Amendment (“GPA”, File No. PGPA19-008) to modify the Policy Plan (general plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 10.49 gross acres of land from Public School to Low-Medium Density Residential (5.1-11 du/ac).
- An amendment to The Avenue Specific Plan (“SPA,” File No. PSPA19-003), changing the land use designation of the project site, PA-6B, from Public School to Low-Medium Density Residential.
- A Tentative Tract Map (File No. PMTT19-010/TT 20285) to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots.

The GPA and SPA require Planning Commission recommendation to the City Council for review and approval. The Tentative Tract Map requires Development Advisory Board recommendation to the Planning Commission for review and approval. The proposed Tentative Tract Map will subdivide the Project site into 106 numbered lots and 19 lettered lots (See Exhibit B – Tentative Tract Map) to facilitate the future construction of 106 single-family homes and associated recreation and landscape areas. The future development of the site will require Development Plan review and approval by the Planning Commission.

(b) Site Design/Building Layout — The Applicant has proposed to subdivide the Project site to accommodate the future development of 106 single-family homes and associated recreation and landscape areas. The rectangular parcel predominantly arranges lots along alleys, which intersect with existing Manitoba Place and future A and B streets (See Exhibit C—Site Plan with Conceptual Plotting). The recreational park is situated near the southwest corner of the project site. Future development on the site will be required to meet all TASP development standards. All units adjacent to public streets will be required to orient building fronts toward the street.

(c) Site Access/Circulation — The Project site will be accessible from Manitoba Place, along the western portion of the site, and from Calgary Street, along the northern portion of the site. Internally, one major west-east private street (“A Street”) will intersect with one major north-south private street (“B Street”). Smaller alleys will feed off of A and B Streets, and two

larger alleys will provide additional site circulation and east-west access from B Street to Manitoba Place.

(d) Parking — Future development of the site will be required to meet all Development Code and TASP parking regulations. Conceptual plotting of the site provides for a two-car garage for each unit, as well as a two-car driveway. On-street parking spaces will also be provided around the site, including along the public and private streets.

(e) Architecture — Future development of the site will be required to meet all TASP and Development Code standards regarding architecture, including style, decorative elements, enhancements, etc.

(f) Landscaping — Future development of the site will be required to meet all TASP and Development Code standards for landscaping. An approximate one-half acre park is required to provide open space and picnic/play equipment amenities (See Exhibit D—Conceptual Landscape and Park Plan). The site will include landscaped parkways along the public and private streets, and each home will have a small front landscape area maintained by the Homeowners Association. The conceptual landscape plan includes a variety of trees, shrubs, groundcovers, and vines, and will be reviewed and approved as part of the future Development Plan application.

(g) Utilities (drainage, sewer) — All major backbone improvements currently serve the site, which were previously installed as part of the surrounding developments. The Project site will be required to install all in-tract utilities and improvements, as per the regulations set forth in the related Development Agreement (File No. PDA20-001). Furthermore, the project will be required to undergo a more extensive Preliminary Water Quality Management Plan (“PWQMP”) review as part of the Development Plan process. The PWQMP establishes projects’ compliance with storm water discharge/water quality requirements and includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (“EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of

significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Development Advisory Board finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in

the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (2,875) and density (2-12 du/ac) specified in the Available Land Inventory.

SECTION 2: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 2, above, the DAB hereby concludes as follows:

(1) ***The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is proposed to be located within the Low-Medium Density Residential land use district of the Policy Plan Land Use Map, and the Low-Medium Density Residential land use district of The Avenue Specific Plan. With approval of related File Nos. PGPA19-008 and PSPA19-011, the proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is located within the Low-Medium Density Residential land use district of the Policy Plan Land Use Map, and the Low-

Medium Density Residential land use district of The Avenue Specific Plan. With approval of related File Nos. PGPA19-008 and PSPA19-011, the proposed design or improvement of the subdivision will be consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.*** With approval of related File Nos. PGPA19-008 and PSPA19-011, the project site will meet the minimum lot area and dimensions of the Low-Medium Density Residential land use district of The Avenue Specific Plan, and will be physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 10.10 DUs/acre. With approval of related File Nos. PGPA19-008 and PSPA19-011, the project site will meet the minimum lot area and dimensions of the Low-Medium Density Residential land use district of The Avenue Specific Plan and is physically suitable for this proposed density / intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the residential improvements existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the

use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 4: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 5: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT AERIAL



Exhibit B—TENTATIVE TRACT MAP

Northern Portion



Exhibit B—TENTATIVE TRACT MAP (CONTINUED)

Southern Portion

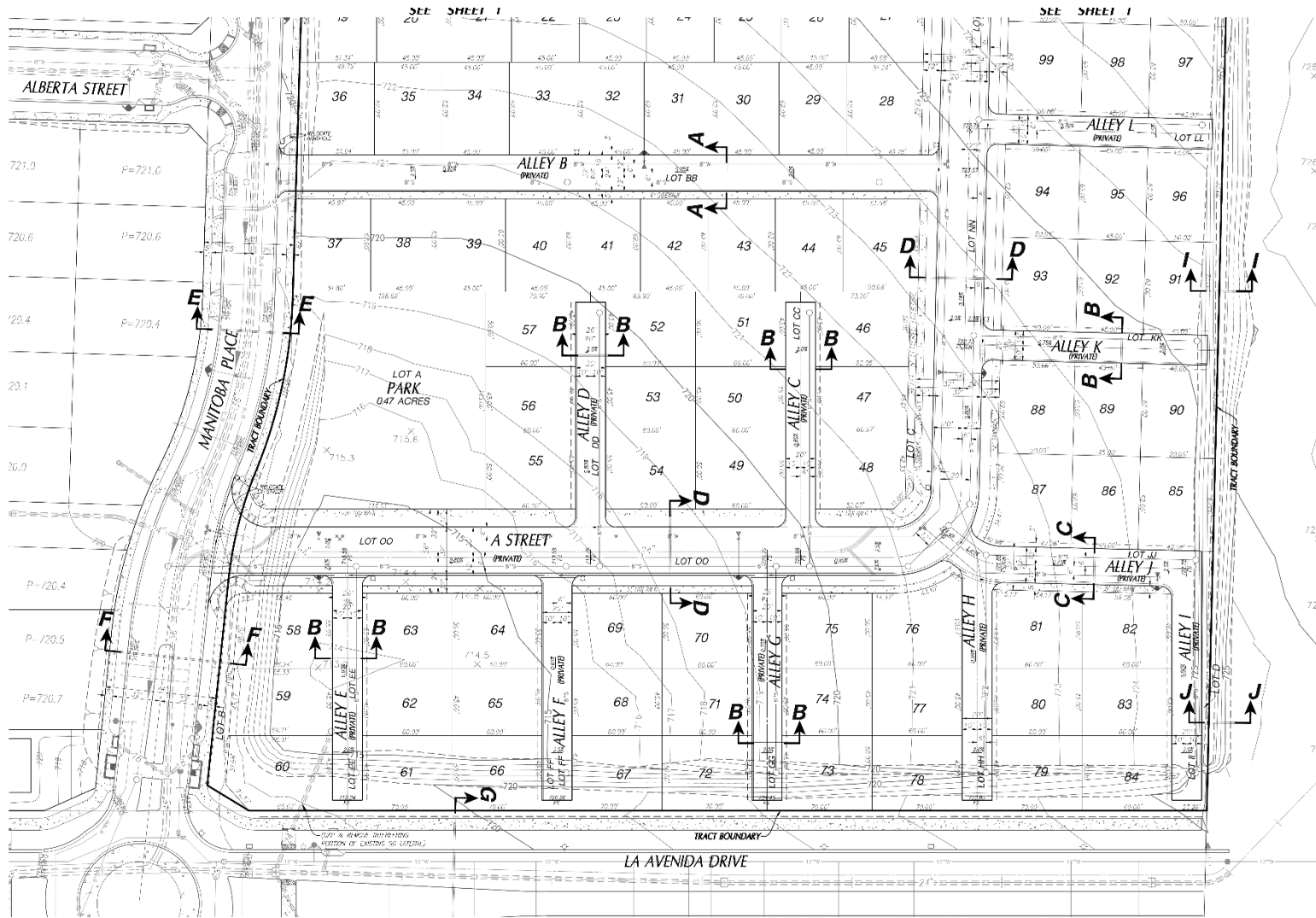


Exhibit C—SITE PLAN WITH CONCEPTUAL PLOTTING



Exhibit D—CONCEPTUAL LANDSCAPE AND PARK PLAN



Exhibit D—CONCEPTUAL LANDSCAPE AND PARK PLAN CONTINUED



COVERED GAZEBO

COVERED
GAZEBO

LARGE TURF PLAY AREA

FOCAL LANDSCAPING



LARGE TURF PLAY AREA



PARK BENCHES

PARK BENCHES

CHILDREN'S PLAY STRUCTURE



CHILDREN'S PLAY STRUCTURE

PARK AREA PROVIDED = 0.47 ACRES

NOTES:

PHOTO IMAGES DEPICT EXAMPLES OF PROPOSED AMENITIES. FINAL DESIGN OF THE PARK AND AMENITIES WILL BE REVIEWED AND APPROVED BY THE CITY OF ONTARIO PRIOR TO INSTALLATION.

Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020
File No: PMTT19-015 (TM 20298)
Related Files: PGPA19-008, PSPA19-011, PDA20-001

Project Description: A Tentative Tract Map to subdivide 10.49 acres of land into 106 numbered lots and 19 lettered lots, located at the northeast corner of La Avenida Drive and Manitoba Place, within the proposed Low-Medium Density land use district of The Avenue Specific Plan (APN: 0218-652-27); **submitted by Ontario Schaefer Holdings, LLC.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Tentative Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract Map on file with the City. Variations from the approved Tentative Tract Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any

claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.4 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.5 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.6 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(c) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.7 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

(h) The CC&R's for the Ventana development shall be established so as to allow for reciprocal resident amenity access by and between Ventana (TM 20265) and the adjacent Dorado development (TM 17931).

2.8 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.9 Development Agreement. All terms of the related Development Agreement (File No. PDA20-001) shall be followed, including, but not limited to, utilities, maintenance, and Development Impact Fees. Additionally, all required parkland fees shall be paid prior to building permit issuance.

2.10 Environmental Review.

(a) Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

(d) The applicant/developer shall submit in writing to the Gabrieleno Band of Mission Indians - Kizh Nation (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill AB52 – SB18) a timeline of operations, including grading and construction, for review and approval by the Consulting Tribe prior to any ground-disturbing activities for the site. A copy of the correspondence shall be provided to the Planning Department. In addition, the following shall be complied with:

(i) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(ii) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(iii) A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine

the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(iv) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(v) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(vi) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

(vii) Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.11 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.12 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County

Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.13 Additional Requirements.

(a) Tract Map File No. PMTT19-015 approval is contingent on City Council approval of related General Plan Amendment File No. PGPA19-008, Specific Plan Amendment File No. PSPA19-011, and PDA20-001. No building permits shall be issued until final approval is obtained per above, and until all outstanding parkland fees are remitted.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. <u>TM-20298</u> RELATED FILE NO(S). <u>PMTT19-015, PSPA19-011, PGPA19-008</u>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u> / / </u>		

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor (909)395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn (909)395-2416

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: TM-20298 A Tentative Tract Map to subdivide 10.49 acres of land into 114 lots, including 110 numbered lots and e lettered lots, within the School land use district of The Avenue Specific Plan

LOCATION: NEC of La Avenida Drive and Manitoba Place

APPLICANT: Ontario Schaefer Holdings, LLC

REVIEWED BY: *Raymond Lee* 10/14/20
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: *[Signature]* 10-15-20
 Khoi Do, P.E. Date
 City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL: **Check When Complete**

- 1.01 Dedicate to the City of Ontario, the right-of-way (in fee simple), described below:**
 - a. Property line corner ‘cut-back’ required at the intersection of Manitoba Place and A Street; Calgary Street and B Street.**
- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - a. 56’ public utility easement along private A Street and private B Street.**
 - b. 32’ public utility easement along private Alleys A, B and J.**
 - c. 26’ public utility easement along private Alleys C, D, E, F, G, H, I, K, L and M.**
- 1.03 Restrict vehicular access to the site as follows:** _____
- 1.04 Vacate the following street(s) and/or easement(s):** _____
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.**
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. Also, identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance of these facilities. The Solid Waste Handling Plan, shall be included in the CC&R’s with a provision that the HOA will enforce the can collections placement requirements of this Plan.**
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume “Disclosure Letter”. Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T1000004658.**
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.**



(1) _____

(2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - a. The final map and dedications shall comply with the approved The Avenue Specific Plan, Development Agreement, and the conditions of approval for this tentative tract map.

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Tract Map No. 20298 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per TM-18419.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the



parcel prior to the date of _____.

- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust



control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
 - a. **All the required improvements for this tract shall be subject to completion of the required public improvements including public utilities beyond the tract limits as specified in The Avenue Specific Plan, the Development Agreement and the Conditions of Approval for TM-18419.**
 - b. **Final Utilities Systems Map (USM): Submit a Final Utilities Systems Map as part of the precise grading plans submittal that conforms to the Conceptual USM dated 08/20/2020 and meets all of the City's USM requirements. The final utility design shall comply with all DDW (CCR §64572) and City of Ontario separation requirements which include a minimum 10' horizontal separation, outside wall to outside wall, between water and sewer and a minimum 5' horizontal separation, outside wall to outside wall, between water and all other utilities.**



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Manitoba Place	Private A and B Streets	Calgary Street	Private Alleys A and B
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input checked="" type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____



Improvement	La Avenida Drive	Private Alleys C, D, E, F, G, H, I, K, L, M	Street	Street
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above: _____

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.



- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions:**
 - a. The following streets may be under moratorium at the time of this development: La Avenida, Manitoba Place and Calgary Street. Any street cuts will require a 2" grind and overlay curb to curb 100' in each direction of the cut.**

C. SEWER

- 2.23 A 8 inch sewer main is available for connection by this project in Manitoba Place and Calgary Street (Ref: Sewer plan bar code: S15231 and S15232)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:**
 - a. Infrastructure listed on Section 2.23 has not been accepted by the City. If there are outstanding improvements necessary to accept this project's sewer connection (by the time this development is underway), the applicant/developer shall be responsible to complete the necessary improvements.**
 - b. The applicant/developer shall design and construct a sewer main extension on Calgary Street to service proposed lots 105 and 106.**
 - c. Sewer Sub-Area Master Plans (SSAMP): Convert the Conceptual Sewer Sub-Area Master Plan dated 8/24/2020 in to a Final SSAMP pursuant to Section 4-8 of the Sewer Master Plan (SMP) and submitted to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.**
 - d. The applicant/developer shall design and construct 8-inch (minimum) sewer mains (or approved size per Final SSAMP) throughout the Tract Map streets See Conceptual Utility Systems Map dated 08/20/2020 and Conceptual SSAMP dated 8/24/2020 for reference.**
 - e. Sewer Capacity Fee: In order to accommodate the change in land use for The Avenue Specific Plan (Planning Area 6B), additional sewage flow capacity is required for the Project. OWNER shall pay the CITY the amount of Eleven Thousand Two Hundred Fifty Two Dollars (\$11,252) subject to the terms of the Development Agreement, and such payment shall be used by the CITY to purchase additional capacity from the Inland Empire Utilities Agency (IEUA) necessary to support Property development.**



D. WATER

- 2.27 A 8 inch water main is available for connection by this project in in Manitoba Place and Calgary Street (Ref: Water plan bar code: W15432 and W15433)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:**
 - a. **Infrastructure listed on Section 2.27 has not been accepted by the City. If there are outstanding improvements necessary to accept this project's domestic water connection (by the time this development is underway), the applicant/developer shall be responsible to complete the necessary improvements.**
 - b. **The applicant/developer shall design and construct 8-inch water mains throughout the Tract Map streets. See Conceptual Utility Systems Map dated 08/20/2020 for reference.**

E. RECYCLED WATER

- 2.30 A 8 inch recycled water main is available for connection by this project in La Avenida Drive. (Ref: Recycled Water plan bar code: P11501)**
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions:**
 - a. **Infrastructure listed on Section 2.30 has not been accepted by the City. If there are outstanding improvements necessary to accept this project's recycled water connection (by the time this development is underway), the applicant/developer shall be responsible to complete the necessary improvements.**
 - b. **The applicant/developer shall design and construct an 8-inch recycled water main in Manitoba Place with a point of connection in La Avenida Drive, and extending past "A" Street to southern boundary of Lot A to serve proposed Lot A. See Conceptual USM dated 08/20/2020 for reference.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



- 2.37 Other conditions:**
- a. **The applicant/developer shall design a modified choker and relocate an existing street light at the southeast corner of Calgary Street and B Street per exhibit provided on June 25, 2020.**

G. DRAINAGE / HYDROLOGY

- 2.38 A 36 and 24 inch storm drain main is available to accept flows from this project in Manitoba Place and Calgary Street respectively. (Ref: Storm Drain plan bar code: D13282 and D13283)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:**
- a. **Submit a hydrology study as noted in Section 2.39 above for the additional run-off due to the land use change.**
- b. **Infrastructure listed on Section 2.38 has not been accepted by the City. If there are outstanding improvements necessary to accept this project's storm drain connection (by the time this development is underway), the applicant/developer shall be responsible to complete the necessary improvements**

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.
- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**



- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
 - a. Integrated Waste and Organics Recycling: This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341, the Integrated Waste Department, and the Refuse & Recycling Planning Manual. The City of Ontario is dedicated to meeting its diversion goals, please contact the Integrated Waste Department at (909) 395-2050 to start.
 - i. Each residential unit shall be provided with two (2) 96-gallon automated cans (refuse and recycling) and one (1) 32-gallon automated cans (organics) and corresponding storage and staging space.
 - ii. Organics Separation and Collection: Organic waste shall be diverted and collected separately from recycling and other refuse wastes.



- iii. **Install a three (3) Bin Trash Enclosure (a separate 4CY bin for refuse, recycling, and organic waste) for the park and community center, at a minimum unless otherwise approved by the Integrated Waste Division Manager. Automated can service may be considered through the submittal of a variance.**
 - iv. **All private haulers shall be formally approved and permitted by the City of Ontario Integrated Waste Department and shall comply with City regulations and code requirements. No private hauling is permitted for refuse collection.**
- b. **Solid Waste Collections: The Developer shall provide all buyers an informational disclosure with map exhibit showing the designated can placement locations for collections for their units. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.**
- c. **Final Solid Waste Handling Plan (SWHP): Submit a Final SWHP as part of the precise grading plans submittal that conforms to the Conceptual SWHP dated 08/20/2020 and meets the City's SWHP requirements for OMUC review and approval. The Final SWHP shall reflect any site design changes needed to comply the final conditions of approval.**



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01** Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02** Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04** NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05** Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04** Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: Tract Map No. 20298

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: November 7, 2019

SUBJECT: PMTT19-015 – A Tentative Tract Map (TT 20298) to subdivide 10.49 acres of land into 110 numbered lots and 4 lettered lots located at the northeast corner of La Avenida Drive and Manitoba Place, within the School land use district of The Avenue Specific Plan (APNs: 0218-652-27).

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Not Listed
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 05, 2019
SUBJECT: PMTT19-015

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: November 01, 2019

SUBJECT: FILE #: PMTT19-015 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide 10.49 acres of land into 114 lots, including 110 numbered lots and 4 lettered lots, located at the northeast corner of La Avenida and Manitoba, within the School land use district of The Avenue Specific Plan (APN(s): 0218-652-27.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

POLICE
Department

E. HERNANDEZ
Signature


POLICE OFFICER
Title

11/18/19
Date

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

DAB CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Landscape Planner

07/22/2020
 Date

Reviewer's Name:
Jamie Richardson, Landscape Planner

Phone:
(909) 395-2237

D.A.B. File No.:
 PMTT19-015

Related Files:

Case Planner:
 Alexis Vaughn

Project Name and Location:

The Avenue - Acre Subdivision into 114 Lots & Park
 NEC La Avenida & Manitoba

Applicant/Representative:

Jason Lee – JasonL@distinguishedhomes.com
 8101 E Kaiser Blvd, Ste. 140
 Anaheim Hills, CA 92808

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | A Tentative Tract Map (07/17/2020) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval. |

CONDITIONS OF APPROVAL:

1. Include response sheet with resubmittal.
2. Note for compaction to not be greater than 85% at landscape areas; all finished grades 1 1/2" below finished surfaces; landscaped slopes to be max 3:1 – change proposed 2:1 slopes (section H-H and General Notes #12).

On Grading or Utility Construction Plans:

3. Storm water infiltration devices located in parkways or other landscape areas shall be routed to this department to be reviewed and approved prior to permit approval or installation. Storm water infiltration devices located in landscape areas shall be reviewed and approved by the Landscape Planning Division prior to installation.
4. Show infiltrating catch basins with two 3/4" dia. holes in bottom set on 12" square of filter fabric wrapped gravel, located 5' or greater from buildings and 24" from sidewalk, add detail.
5. Show or note transformers shall be located in planter areas, and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans.
6. Show or note backflow devices shall be located in planter areas, and set back min 3' from paving. Locate on level grade. Coordinate with landscape plans.
7. Wall footings shall not restrict landscape; max 12" in front of footing with of 12" of cover.
8. Wall openings for drainage overflow shall be max 4" wide.
9. Provide a solid surface path from driveway to side yard gate for entry and trash bin access.
10. AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side added for access.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
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Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: November 01, 2019

SUBJECT: FILE #: PMTT19-015

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide 10.49 acres of land into 114 lots, including 110 numbered lots and 4 lettered lots, located at the northeast corner of La Avenida and Manitoba, within the School land use district of The Avenue Specific Plan (APN(s): 0218-652-27.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Broadband Operations
Department

Anna Vaca
Signature

Sr. Systems Analyst
Title

12/06/2019
Date

1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
2. Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:
 - Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance
 - Allows for uniform receipt & distribution of technology services
 - Ensures scalability of wiring for future technology advances
 - Provides consistent & identical wiring protocols throughout developments
 - Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity
 - Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
6. Building Entrance (Multi-family) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
7. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
8. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
9. A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
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AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT19-015

Address: NEC of La Avenida & Manitoba Place

APN: 0218-652-27

Existing Land Use: Vacant

Proposed Land Use: Tentative Tract Map to subdivide 10.49 acres into 114 lots

Site Acreage: 10.49 Proposed Structure Height: N/A

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 12/17/19

CD No.: 2019-083

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="checkbox"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> Airspace Avigation Easement Area	
<input type="checkbox"/> Zone 4		Allowable Height: <u>200 FT +</u>	
<input type="checkbox"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____



Gabrieleno Band of Mission Indians – Kizh Nation

Historically known as The Gabrielino Tribal Council - San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

August 12, 2020

Dear Alexis Vaughn,

The mitigation measures should be specific to TCR for purposes of complying with CEQA therefore please utilize the attached mitigation measures for your project. Thank you

MM TCR-1 Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA

Gabrieleno Band of Mission Indians – Kizh Nation
(626)5215827

PO Box 393
email: Admin@gabrielenoindians.org

Covina, CA 91723
website: www.gabrielenoindians.org

Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

With respect,



Andrew Salas, Chairman



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PMTT18-011 (TPM 20016)

DESCRIPTION: A Parcel Map to subdivide 85.6 acres of land into eight parcels, located at the northeast corner of Merrill and Euclid Avenues, within the Industrial and Business Park land use districts of the Ontario Ranch Business Park Specific Plan (APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03); **submitted by Euclid Land Venture, LLC. Planning Commission action required.**

Part I—BACKGROUND & ANALYSIS

EUCLID LAND VENTURE, LLC., (herein after referred to as “Applicant”) has filed an application requesting Parcel Map approval, File No. PMTT18-011, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 85.6 acres of land bordered by Eucalyptus Avenue to the north, Sultana Avenue to the east, Merrill Avenue to the south, and Euclid Avenue to the west, and is depicted in Exhibit A—Project Aerial, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Ag/Dairy and SFR	General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre)	Specific Plan / Agricultural Overlay	N/A
<i>North</i>	Plant Nursery/Dairy	Mixed-Use Area 10: NMC West	Specific Plan / Agricultural Overlay	N/A
<i>South</i>	Chino Airport	N/A	N/A	N/A
<i>East</i>	Dairy and SFR	Low-Medium Density Residential (5.1-11 dwelling units per acre) and Business Park (0.60 FAR)	Specific Plan / Agricultural Overlay	N/A

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
West	Residential and Vacant (City of Chino)	High Density Residential & Urban Reserve (City of Chino)	N/A	HDR - High Density Residential & OS-1 – Open Space Recreational (College Park SP - City of Chino)

(2) **Project Description:**

(a) Background — The Ontario Ranch Business Park Specific Plan (File No. PSP18-002) was approved, and the related Environmental Impact Report (“EIR”; SCH# 2019050018) was certified, by the City Council on September 15, 2020. The Ontario Ranch Business Park Specific Plan (“ORBP SP”) established the land use designations, development standards, and design guidelines on 85.6 acres of land, which included the potential development of up to 1,905,027 square feet of industrial and business park development.

In 2010, The Ontario Plan (“TOP”) was adopted, which set forth the land use pattern for the City, to achieve its Vision. With the adoption of the related TOP amendment (File No. PGPA18-008), Business Park and Industrial land use designations were assigned to the Project site.

On November 13, 2018, the applicant submitted the subject Tentative Parcel Map (File No. PMTT18-011) in conjunction with a Development Plan (File No. PDEV18-036) to facilitate the construction of three industrial buildings totaling 1,447,123 square feet and five business park buildings totaling 105,624 square feet.

(b) Tentative Parcel Map – The proposed Tentative Parcel Map will subdivide the Project site into eight parcels (see Exhibit B – Tentative Parcel Map) to facilitate the construction of three industrial buildings and five business park buildings and associated site improvements and landscape areas.

(c) Site Design/Building Layout — The rectangular project site will predominantly orient smaller business park buildings (buildings 4-8, less than 125,000 square feet) along the frontages of Euclid Avenue and Eucalyptus Avenue. The larger industrial buildings (Buildings 1-3) will be sited toward the interior of the site, facing other future industrial uses to the east, along Sultana Avenue, and to the south, within Chino Airport, along Merrill Avenue.

(d) Site Access/Circulation — The Project site will be accessible from all four surrounding streets. Two access driveway points will be provided along Euclid Avenue (between Parcels 3 and 4 and Parcels 4 and 5) for trucks and passenger vehicle access (pending Caltrans review and approval). Two points of access from Eucalyptus Avenue (between Parcels 6 and 7 and Parcels 7 and 8) are provided for trucks and passenger vehicles. Along Sultana Avenue, four driveway access points (between Parcels 8 and 1, and Parcels 1 and 2 and at the southeast area of Parcel 2) will be provided for truck entries and passenger vehicle entries. One point of access for trucks and passenger vehicles from Merrill Avenue will be provided (between Parcels 2 and 3). Reciprocal parking and circulation access will be available throughout the project site to accommodate all buildings.

(e) Landscaping — The ORBP SP requires a minimum 10 percent landscape coverage for buildings within the Industrial land use district, and a minimum 15 percent landscape coverage for buildings within the Business Park land use district. Eleven percent landscape coverage has been provided for the Industrial land use district and 15 percent has been provided for the Business Park land use district, meeting the required minimum landscape coverage. The Project provides substantial landscaping along the full perimeter of the site, with extra buffering provided along Euclid Avenue.

The Project includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along the surrounding streets. The proposed on-site and off-site landscape improvements will assist toward creating a walkable, safe area for pedestrians to access the Project site. A landscaped median, multi-purpose trail and neighborhood edge will be installed along Euclid Avenue. A multi-purpose trail and neighborhood edge will also be installed along Eucalyptus and Merrill Avenues.

(f) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA19-001) and requirements of the ORBP SP. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater retention chambers where downstream landscape areas are limited and the installation of stormwater drywells in detention areas. The applicant also proposes to install gravity separator devices for pretreatment of sediment, trash/litter, oil, and grease.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the Ontario Ranch Business Park Specific Plan Environmental Impact Report (State Clearinghouse No. 2019050018) was certified by the City Council on September 15, 2020 (“Certified EIR”) in conjunction with File No. PSP18-002, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-002, the Ontario Ranch Business Park Specific Plan for which an EIR (SCH# 2019050018) — (hereinafter referred to as "Certified EIR") was adopted by the City Council on September 15, 2020; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.*
Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory

contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located within the Business Park (0.6 FAR) and Industrial (0.55 FAR) land use districts of the Policy Plan Land Use Map, and the Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the project will contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the Business Park (0.6 FAR) and Industrial (0.55 FAR) land use districts of the Policy Plan Land Use Map, and the Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council

Priorities components of The Ontario Plan, as the project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.*** The project site meets the minimum lot area and dimensions of the Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan, and is physically suitable for the type of industrial development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for industrial development at a floor area ratio of up to 0.45 FAR for the Business Park land use district and 0.54 FAR for the Industrial land use district, per the provisions of the previously-approved Ontario Ranch Business Park Specific Plan Certified EIR. The project site meets the minimum lot area and dimensions of the Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan and is physically suitable for this proposed intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the business park and industrial improvements existing or proposed on the project site, are not likely to cause serious public health problems, as The project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and

applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

EXHIBIT A – PROJECT AERIAL

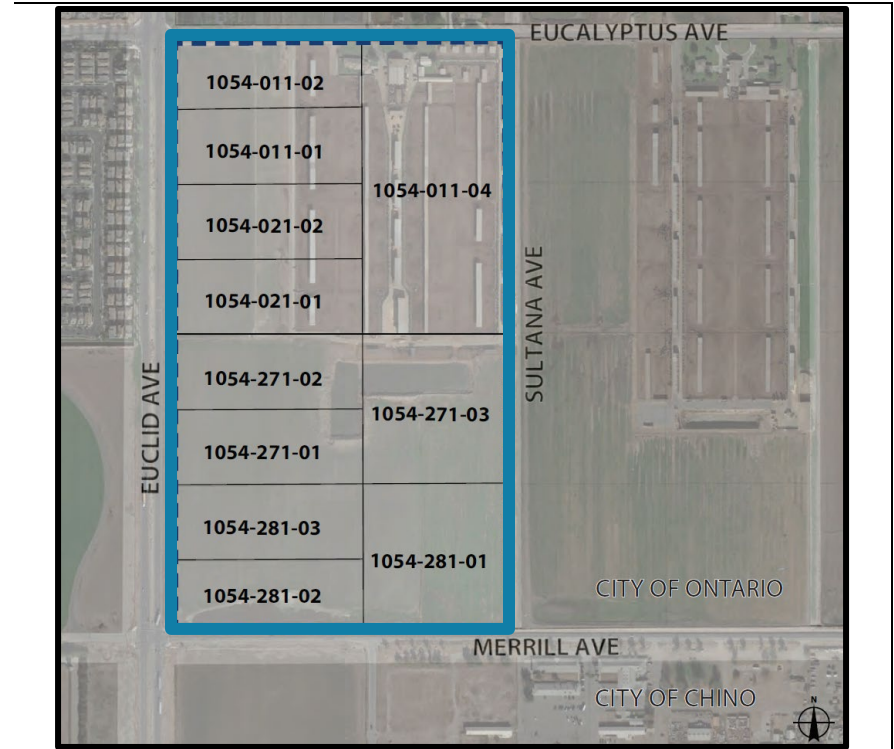
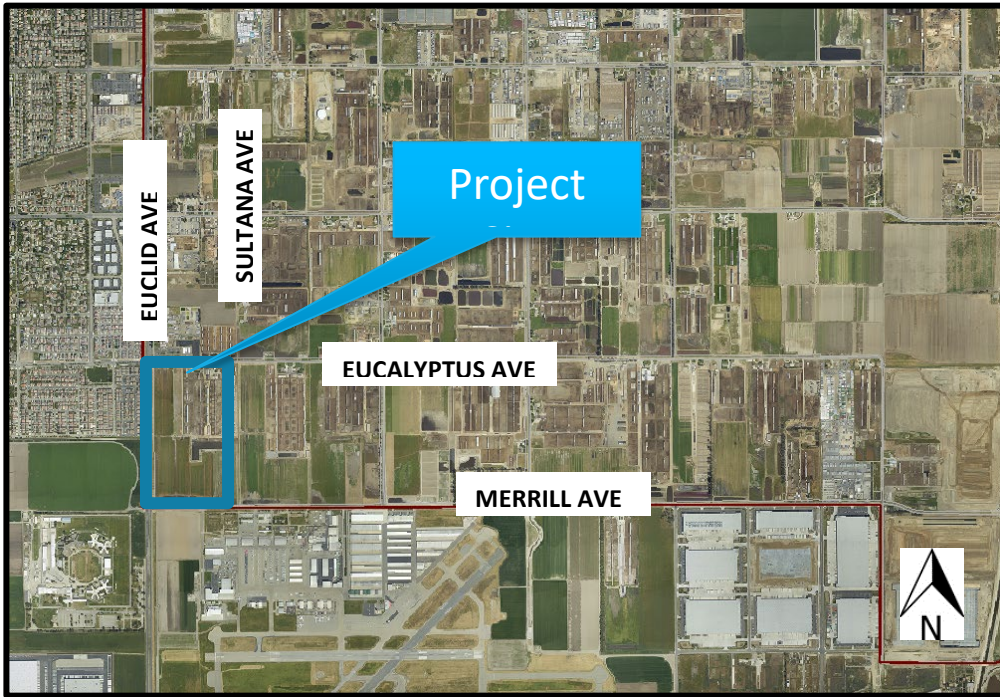
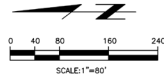


EXHIBIT B – TENTATIVE PARCEL MAP

SHEET 1 OF 1

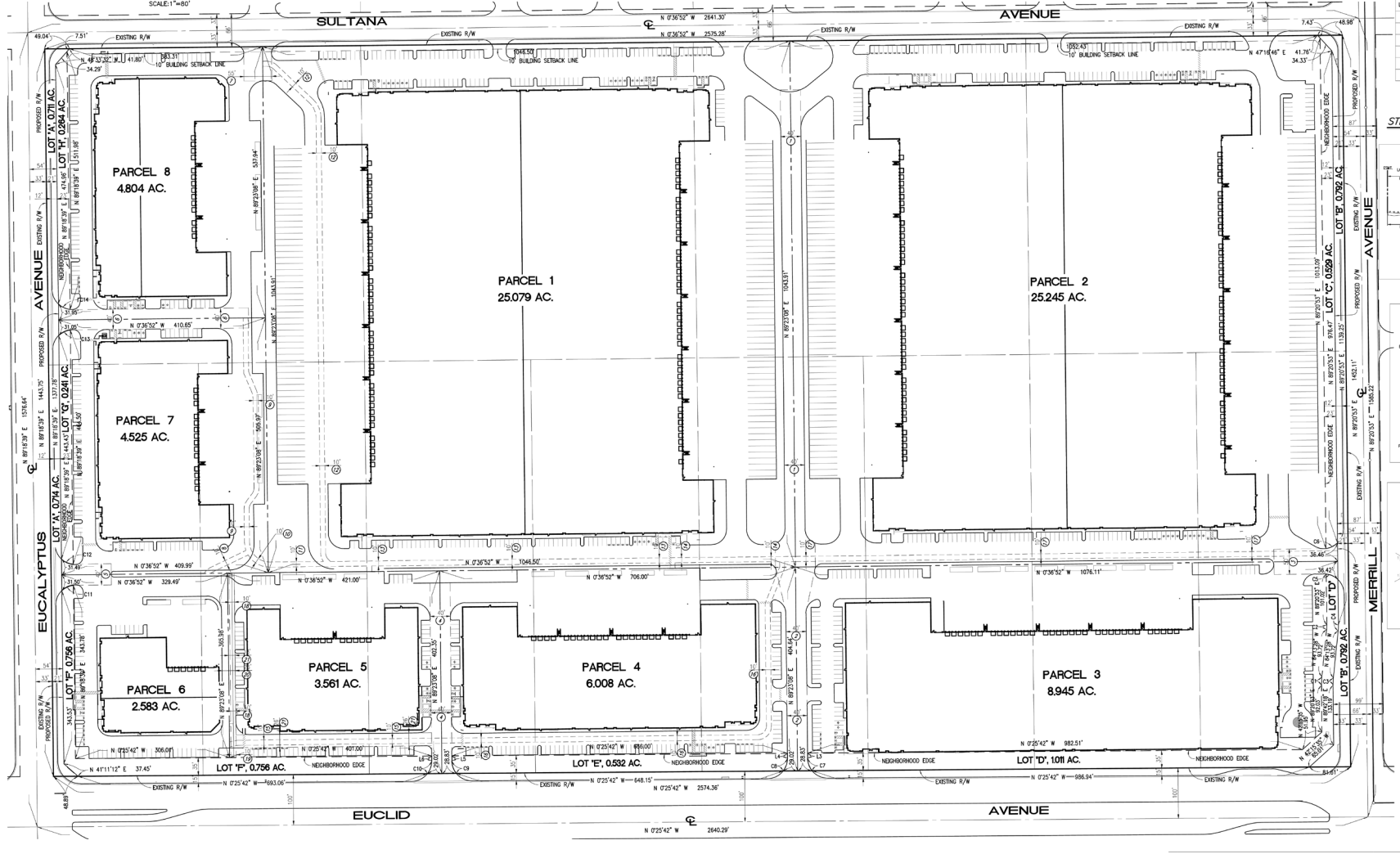


TENTATIVE PARCEL MAP NO. 20016

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA
 BEING A SUBDIVISION OF LOTS 1, 2, 3, 16, 17, 18, 19, 20, 21, 34, 35 AND 36 IN SECTION 19, TOWNSHIP 2 SOUTH,
 RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO MAP OF SUBDIVISION OF PART OF THE
 RANCHO SANTA ANA DEL CHINO, RECORDED IN BOOK 6 OF MAPS, PAGE 15, RECORDS OF SAID COUNTY.

NOTES:

DATE OF PREPARATION: 11-1-19
 DOWNSIDE AREA: 65,588 ACRES
 NET AREA: 86,750 ACRES



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PMTT18-011 (TPM 20016)

Related Files: PDEV18-036

Project Description: A Parcel Map (File No. PMTT18-011, TPM20016) to subdivide 85.6 acres of land into eight parcels, located at the northeast corner of Merrill and Euclid Avenues, within the Industrial and Business Park land use districts of the Ontario Ranch Business Park Specific Plan (APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03); **submitted by Euclid Land Venture, LLC.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Tentative Parcel/Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Parcel Map on file with the City. Variations from the approved Tentative Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.4 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.5 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.6 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.7 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(d) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(e) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(f) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.8 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-002, the Ontario Ranch Business Park Specific Plan for which an EIR (SCH# 2019050018) was previously adopted by the City Council on September 15, 2020. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.9 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.10 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.11 Additional Requirements.

(a) Tract Map File No. PMTT18-011 approval is contingent on Planning Commission approval of related Development Plan File No PDEV18-036 and Development Agreement File No PDA19-001.

(b) All mitigation and monitoring reports required as part of the Ontario Ranch Business Park Specific Plan EIR shall be submitted to the designated departments as per the listed schedule, prior to permit issuance.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
PROJECT FILE NO. PM-20016 RELATED FILE NO(S). PMTT18-011, PDEV18-036		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn (909) 395-2416

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20016, a Tentative Parcel Map to subdivide 84.1 acres of land into eight (8) parcels within the Ontario Ranch Business Park Specific Plan

LOCATION: Northeast corner of Merrill and Euclid Avenues

APPLICANT: Real Estate Development Associates (REDA)

REVIEWED BY:  Raymond Lee, P.E. 10-7-20
Assistant City Engineer Date

APPROVED BY:  Khoi Do, P.E. 10-7-20
City Engineer Date



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 - 1. Merrill Avenue to the ultimate half street right-of-way width of 54 feet along the project frontage
 - 2. Eucalyptus Avenue to the ultimate half street right-of-way width of 54 feet along the project frontage
 - 3. An additional 35' from the ultimate right-of-way of Euclid Avenue along the project frontage for a 50' neighborhood edge
 - 4. An additional 23' from the ultimate right-of-way of Merrill Avenue along the project frontage for a 35' neighborhood edge
 - 5. An additional 23' from the ultimate right-of-way of Eucalyptus Avenue along the project frontage for a 35' neighborhood edge
 - 6. Property line corner 'cut-back' required at all street intersections within the project boundaries

- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s):
 - 1. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company. See COA 1.14-3.

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.

- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.



- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
- (1) _____
- (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 1.13 **New Model Colony (NMC) Developments:**
- 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
- 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
- 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 **Other conditions:**
- 1. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
- 2. The Parcel Map shall comply with the approved Ontario Ranch Business Park Specific Plan, the Development Agreement and the Conditions of Approval for this Tentative Parcel Map.
- 3. Applicant/developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20016 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.



- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans) – for any improvements encroaching into their right-of-way on Euclid Ave (State Route 83)**
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA) – for sewer connection at Kimball & Euclid Aves and the recycled water connection at Eucalyptus & Sultana Aves and Eucalyptus & Euclid Aves**
 - Other:**
 - **County of San Bernardino Department of Airport – for any improvements encroaching into their property**
 - **City of Chino – for any improvements encroaching into their right-of-way**
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____



- 2.12 New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13** Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14** The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15** Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$3,367,196, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16** Other conditions: _____



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Merrill Avenue	Eucalyptus Avenue	Sultana Avenue	Euclid Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 42 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 52 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 47 additional feet along frontage, including pavm't transitions (A)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 48 additional feet along frontage, including pavm't transitions (B)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 43 feet; along project frontage, including pavm't transitions (C)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 36 additional feet along frontage, including pavm't transitions (D)
PCC Pavement (Truck Route Only)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New (E) <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New (G) <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. Pavement widening will be required on the south side within the City of Chino. Coordinate with the City on those requirements. Please note, if the existing Merrill Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- B. A 14' circulation lane and a 5' paved shoulder are required on the north side. Please note, if the existing Eucalyptus Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- C. A 14' circulation lane and a 5' paved shoulder are required on the east side.



- D. If the existing Euclid Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- E. The location and number of proposed drive approaches are to be reviewed and approved by Caltrans.
- F. Includes neighborhood edge.
- G. These improvements are partially in the City of Ontario and City of Chino.
- H. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 5,280 feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:

Design and install Master Plan Sewer Improvements per Exhibits E and F of the Development Agreement as follows:

- A. Install a Master Plan 21-inch sewer main in Euclid Ave between Eucalyptus Ave and Merrill Ave.
- B. Install a Master Plan 30-inch sewer main in Merrill Ave between Sultana Ave and Euclid Ave.
- C. Install a Master Plan 36-inch sewer main in Euclid Avenue between Merrill Avenue and Kimball Avenue with a connection to the existing 60-inch or 54-inch IEUA Kimball Interceptor Trunk Sewer main at Kimball Ave.
- D. Install an 8-inch sewer main in Sultana Ave from the point of connection for Parcel 8 to Merrill Ave.
- E. The Sultana Ave sewer main design shall follow the TPM 20016 Sanitary Sewer Analysis, dated 07/14/2020, and any deviation from this design shall require the Sewer Analysis to be updated and resubmitted to OMUC for review and approval.
- F. The proposed sewer point of connection for this Parcel map is in Kimball Ave to the 60-inch or 54-inch IEUA Kimball Interceptor Trunk Sewer main. The proposed sewer connection requires approval of a new sewer Regional Connection from the Inland Empire Utilities Agency (IEUA). The applicant must satisfy the following requirements for the proposed Sewer System Point of Connection:
 - i. Regional Connection Approval: The applicant shall submit a written request letter to the City for a new Regional Sewer Connection. The request letter shall include:



an exhibit that shows the tributary area of the Regional Connection; the proposed sewer system main connection through the proposed Regional Connection; IEUA record drawing number, station number and manhole number or the connection point; and a plan and profile detail of the manhole connection and any modification proposed to the manhole. Once received from the applicant, the City will request the new Regional Connection from IEUA. If approved by IEUA, the applicant shall be responsible for meeting all terms, conditions, standards, and requirements IEUA has for the Regional Connection.

- G. Each occupant of the building, or units, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to including possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 13,200 feet away.
- 2.29 Other conditions:

Unless otherwise indicated, design and install Master Plan Potable Water Improvements per Exhibits E and F of the Development Agreement as follows:

- A. Install a Master Plan 24-inch 925 PZ potable water main in Eucalyptus Ave between Carpenter Ave and Grove Ave with a connection to the existing 24-inch 925 PZ potable water main in Eucalyptus Ave.
- B. Install a Master Plan 16-inch 925 PZ potable water main in Eucalyptus Ave between Grove Ave and Euclid Ave.
- C. Install a Master Plan 16-inch 925 PZ potable water main in Euclid Ave between Eucalyptus Ave and Merrill Ave.
- D. Install a Master Plan 16-inch 925 PZ potable water main in Merrill Avenue between Euclid Avenue and Walker Avenue.
- E. Install a Master Plan 16-inch 925 PZ potable water main in Walker Ave between Merrill Ave and Eucalyptus Ave.
- F. Install a Master Plan 30" to 42" 925 PZ potable water main in Grove Ave between Eucalyptus Ave and Chino Ave.
- G. Install a Master Plan 18-inch 1010 PZ potable water main in Chino Ave between Grove Ave and the Cucamonga Creek Channel with a connection to the existing 18-inch 1010 PZ potable water main just west of the Cucamonga Creek Channel.
- H. Install an Interim 1010 PZ to 925 PZ pressure reducing station at the intersection of Grove Ave and Chino Ave.
- I. Phase 2 Water Infrastructure Improvements North of Chino Avenue: The following potable water mains/facilities (final alignments subject to change) are required by the Project, but the Project shall contribute towards the design and construction as described within the Development Agreement:
 - i. Install a Master Plan 42-inch 925 PZ Potable Water main in Grove Avenue between Chino Avenue and Francis Avenue.
 - ii. Install a Master Plan 42-inch 925 PZ Potable Water main in Francis Avenue between Grove Avenue and Bon View Avenue.
 - iii. Install a Master Plan 42-inch 925 PZ Potable Water main in Bon View Avenue between Francis Avenue and Bon View Reservoir Site.
 - iv. Install a Master Plan 9-million gallon reservoir on the Bon View Reservoir Site, two 2,500 GPM groundwater production wells with any treatment necessary to meet water quality standards, and the 16-inch and 24-inch collection mains from the wells to the reservoirs.
- J. Existing 30-inch IEUA Recycled Water main in Eucalyptus Avenue: Pursuant to the Ontario Ranch Business Park Utilities System Map, dated 09/14/2020, the project shall ensure that the PW line maintains all minimum cover and separation requirements from the existing IEUA RW line, especially at PW crossings of the IEUA RW line. This may entail adjusting the vertical alignment of the existing IEUA RW line or the proposed



street grades subject to the approval of the City Engineer and IEUA.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 **Other conditions:**

Design and install Master Plan Recycled Water Improvements per Exhibits E and F of the Development Agreement as follows:

- A. **Install a Master Plan 8-inch 930 PZ recycled water main in Euclid Ave between Eucalyptus Ave and Merrill Ave with a connection to the existing 30-inch IEUA Recycled Water main in Eucalyptus Ave.**
- B. **Install a Master Plan 8-inch 930 PZ recycled water main in Merrill Ave between Euclid Ave and Sultana Ave.**
- C. **Install an 8-inch 930 PZ recycled water main in Sultana Ave between Merrill Ave and Eucalyptus Ave with a connection to the existing 30-inch IEUA recycled water main in Eucalyptus Ave.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 **New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.**
- 2.37 **Other conditions:**
 - A. **Euclid Ave (State Route 83) is under the jurisdiction of the California Department of Transportation (Caltrans). The Applicant/Developer is solely responsible to ascertain Caltrans requirements for Project approval and permit issuance.**
 - B. **Perform all mitigation measures and operational improvements in accordance with the Traffic Impact Analysis by Urban Crossroads dated July 24, 2019, and to the satisfaction of the City Engineer.**
 - C. **Design and construct new traffic signal on Sultana Ave at Eucalyptus Ave and Merrill Ave. The new traffic signal shall include video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.**
 - D. **Design and construct modifications to the existing traffic signal on Euclid Ave at Eucalyptus Ave and Euclid Ave at Merrill Ave. The traffic signal modification shall address relocation of any equipment including video detection, CCTV, interconnect**



- cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
- E. Euclid Ave and Merrill Ave are designated truck routes in the City of Ontario. The Applicant/Developer shall be responsible to design and construct concrete pavement at the following intersections in accordance with City of Ontario Standard Drawing No. 1207:
 - i. Euclid Ave at Eucalyptus Ave
 - ii. Euclid Ave at Merrill Ave
 - F. Proposed driveways on Euclid Ave shall be restricted to right-in/right-out access only. On-site signage and pavement markings shall be provided for driveway access restrictions.
 - G. Design and construct all driveway approaches in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach. No decorative concrete shall be allowed in the public street right-of-way.
 - H. Design and construct a bus pad to serve future stop on the south side of Eucalyptus Ave, east of Euclid Ave. Pad shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
 - I. Design and construct a bus pad to serve future stop on the north side of Merrill Avenue, West of Sultana Avenue. Pad shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
 - J. Design and construct a bus turnout on the east side Euclid Ave, north of Merrill Ave. Bus turnout shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
 - K. Engineer-of-record shall meet with City Engineering staff prior to starting signing and striping, traffic signal, and street lighting design.
 - L. The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.
 - M. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
 (Ref: Storm Drain plan bar code: _____)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.



2.43 Other conditions:

Design and construct Master Plan Storm Drain Improvements per Exhibits E and F of the Development Agreement as follows:

- A. Design and construct a 9.5' x 9.5' RCB storm drain line on Merrill Ave from Euclid Ave to Sultana Ave consistent with the Master Plan of Drainage.
- B. Design and construct a 66" to 90" storm drain line on Eucalyptus Ave from Euclid Ave to Sultana Ave consistent with the Master Plan of Drainage.
- C. Design and construct a 30" storm drain line on Sultana Ave from Eucalyptus Ave to Merrill Ave.
- D. Design and construct a 108" storm drain line on Euclid Ave from Eucalyptus Ave to Merrill Ave consistent with the Master Plan of Drainage.
- E. Pay an in-lieu fee of \$2,446,191 for the construction of the ultimate storm drain improvements on Euclid Ave south of Merrill Ave.
- F. Mitigate flooding of existing storm drain facilities downstream of the project site, in the City of Chino, caused by the project, to the satisfaction and approval of the City of Chino and City of Ontario.
- G. Applicant/Developer shall be responsible for the plan and profile drawings of the ultimate storm drain improvements on Euclid Ave from Merrill Ave to ultimate point of connection south to Pine Avenue, in the City of Chino, to the satisfaction of the City Engineer.
- H. Design and construct storm drain bleeder line or alternative interim connection at the discretion of the City on Euclid Ave south of Merrill Ave. This shall connect to the storm drain lines on Merrill Ave e/o Euclid Ave and Euclid Ave n/o Merrill Ave.

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**

2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

2.47 Other conditions:

- A. Design and construct two (2) debris separation baffle boxes or equivalent alternative approved devices to satisfy the statewide trash mandate at the intersection of Euclid Ave and Merrill Ave.



J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City’s conduit and fiber optic system per the City’s Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Merrill Ave, Eucalyptus Ave, and Euclid Ave.
- 2.51 Refer to the City’s Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City’s Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53 Other conditions:
 - A. Final Solid Waste Handling Plan (SWHP): The TPM 20016 Conceptual Solid Waste Handling Plan dated 05/20/20, shall be updated to meet all conditions and revised into a Final SWHP. Prior to approval of the any building permits, a Final Solid Waste Handling Plan Sheet shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. See *Solid Waste Handling Plan (SWHP) Requirements document* for details.
 - i. Organics Separation and Collection: This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - ii. At minimum this site requires a trash enclosure sized to store three 4-cubic-yard bins (one for refuse, one for recycling, and one for organics) for each potential office area of each building.
 - B. Final Integrated Waste Management Report (IWMR): The applicant shall submit a Final Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the “*Integrated Waste Management Report Requirements*” document.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.



- 3.02 Complete all requirements for recycled water usage.**
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.**
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT18-011, PDEV18-036, and/or Parcel Map No. 20016

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



- 21. **Payment for Final Map/Parcel Map processing fee**
- 22. **Three (3) copies of Final Map/Parcel Map**
- 23. **One (1) copy of approved Tentative Map**
- 24. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 25. **One (1) copy of Traverse Closure Calculations**
- 26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 28. **Other:** _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: January 7, 2019
SUBJECT: PMTT18-011

-
- The plan **does** adequately address the departmental concerns at this time.
- No comments
- Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: January 10, 2019

SUBJECT: PMTT18-011 – A Parcel Map to subdivide 84.1 acres of land into 11 parcels located at the northeast corner of Merrill and Euclid Avenues, within the Ontario Ranch Commerce Center Specific Plan West (APNs: 1054-011-01, -02, -04; 1054-021-01, -02; 1054-271-01, -02, -03; and 1054-281-01, -02, -03).
Related Files: PDEV18-011; PSP18-002

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply. Refer to PDEV18-011.
-



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director
Diane Ayala, Advanced Planning Division
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Henry Noh, Senior Planner

DATE: January 02, 2019

SUBJECT: FILE #: PMTT18-011

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, January 16, 2019**.

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Parcel Map to subdivide 84.1 acres of land into 11 parcels located at the northeast corner of Merrill and Euclid Avenues, within the Ontario Ranch Commerce Center Specific Plan West (APNs: 1054-011-01, -02, -04; 1054-021-01, -02; 1054-271-01, -02, -03; and 1054-281-01, -02, -03).
Related Files: PDEV18-011; PSP18-002

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

1/10/19
Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 24, 2020

SUBJECT: FILE #: PMTT18-011

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

PROJECT DESCRIPTION: A Parcel Map to subdivide 84.1 acres of land into 8 parcels located at the northeast corner of Merrill and Euclid Avenues, within the Ontario Ranch Business Park ("ORBP", formerly Ontario Ranch Commerce Center West) Specific Plan (APNs: 1054-011-01, -02, -04; 1054-021-01, -02; 1054-271-01, -02, -03; and 1054-281-01, -02, -03). Related Files: PDEV18-036; PSP18-002

The plan does adequately address the departmental concerns at this time.

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning
Department

[Signature]
Signature

Landscape Planner
Title

3/4/20
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-036

Address: Southeast Corner Eucalyptus Avenue and Euclid Avenue

APN: 1054-011-01,02 & 04; 1054-021-01,02 & 03; 1054-271-01, 1054-281-01, 02 & 03

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 8 industrial buildings totaling 3,661,861 square feet

Site Acreage: 84.1 AC Proposed Structure Height: 50 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 3/25/2019

CD No.: 2018-074

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: 130 FT

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

The proposed project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the policies and criteria as established by the California Airport Land Use Planning Handbook for Chino Airport provided the following conditions are met:

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-074
PALU No.: _____

PROJECT CONDITIONS

The project is located within Safety Zone 6 the Chino Airport Influence Area, the project shall comply with the attached conditions.

1. The project shall maintain a minimum of 10% open land for the project net area. The project shall provide 8.4 acres of open land.
2. Open Land must have a minimum dimensions of (75 feet by 300 feet). Open Land area must be free of structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
4. The attached open space exhibit identifies Eucalyptus Avenue and Merrill Avenue for being the primary acceptable locations to meet open land requirements.
5. The attached open land exhibit also identifies the interior truck yards as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
6. The maximum height limit for the project site is 130 feet and as such, any construction equipment such as cranes or any other equipment/permanent structures exceeding 130 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed with the FAA and approved prior to operating such equipment on the project site during construction.

PROPERTY OWNER
 -

ADDRESS OF THE PROPERTY
 EUCLID AVENUE AND EUCLYPTUS AVENUE

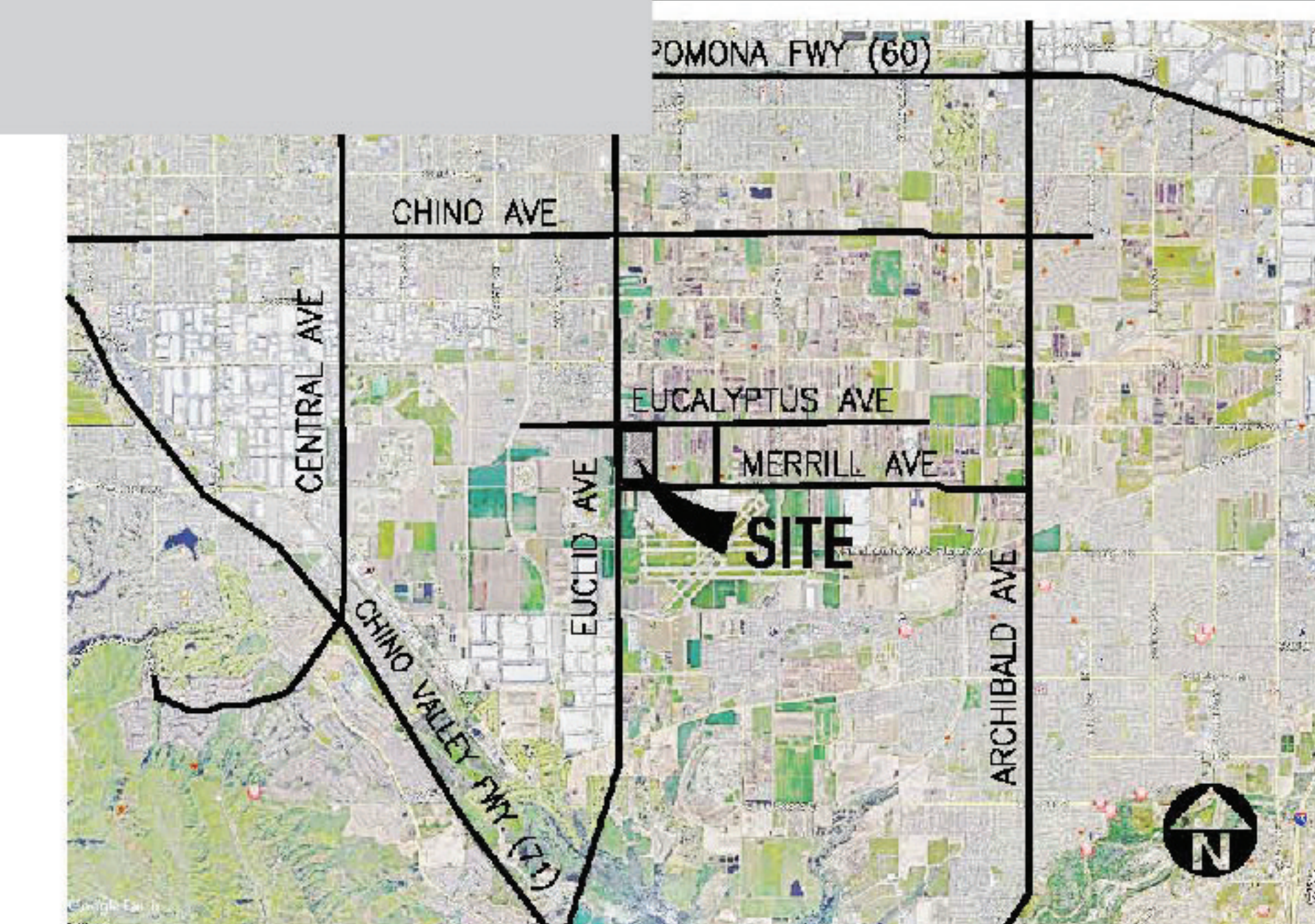
ASSESSOR'S PARCEL NUMBER
 054-011-01 1054-271-01
 054-011-02 1054-271-02
 054-011-04 1054-271-03
 054-021-01 1054-281-01
 054-021-02 1054-281-02
 1054-281-03

ZONING
 F- INDUSTRIAL PARK

LEGAL DESCRIPTION
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA JEL CHING, RECORDED IN BOOK 6 OF MAPS, PAGE 10, RECORDS OF SAID COUNTY.
 APN: 1054-011-01, 1054-011-02, 1054-011-04, 1054-021-01, 1054-021-02, 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 AND 1054-281-03

APPLICANT
 REAL ESTATE DEVELOPMENT ASSOCIATES
 4100 MACARTHUR BLVD., SUITE 120
 NEWPORT BEACH, CA 92660
 PHONE: 949.216.7300
 FAX: 949.724.1433

PROPOSED TENTATIVE
Primary Open Land Area
 Merrill Avenue
 84 ft x 1,440 ft
 120,960 SF
 2.7 AC



HPA
 architecture
 hpa, inc.
 18831 barden avenue, ste. #100
 irvine, ca
 92612
 tel: 949-863-1770
 fax: 949-863-0851
 email: hpa@hparchs.com



Owner:

REDA
 REAL ESTATE DEVELOPMENT ASSOCIATES
 Address: 4100 MacArthur Blvd #120,
 Newport Beach, CA 92660
 Phone: (949) 216-7300

Project:
 EUCALYPTUS AVE &
 EUCLID AVE

CALIFORNIA, ONTARIO

Consultants:
 Thienes Engineering
 CIVIL
 STRUCTURAL
 MECHANICAL
 PLUMBING
 ELECTRICAL
 LANDSCAPE
 FIRE PROTECTION
 SOILS ENGINEER
 Hunter Landscape

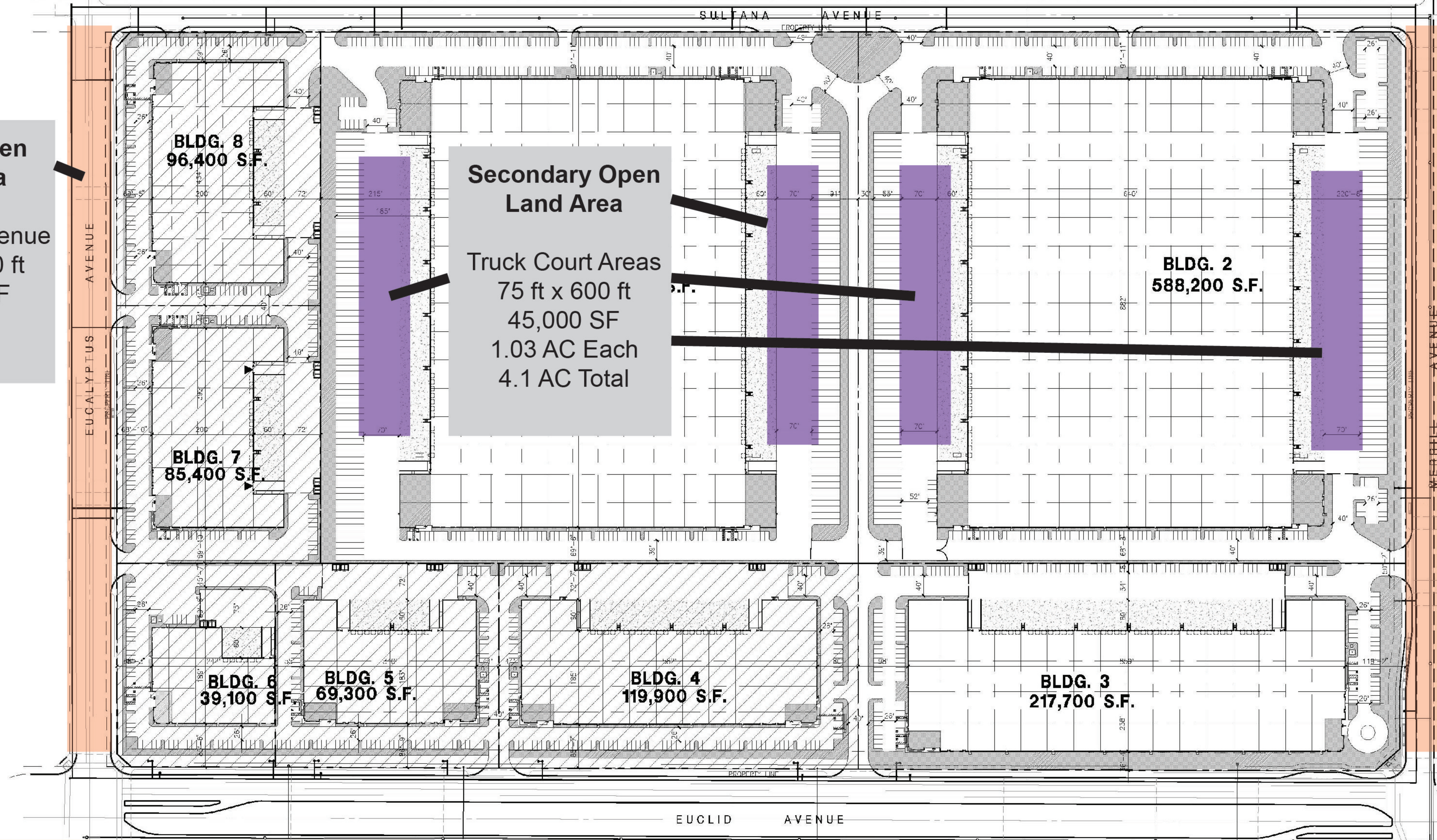
Title: master site plan

Project Number: 17534
 Drawn by: AWAC
 Date:
 Revision:

Sheet:
DAB-A1.0

Primary Open Land Area
 Eucalyptus Avenue
 84 ft x 1,440 ft
 120,960 SF
 2.7 AC

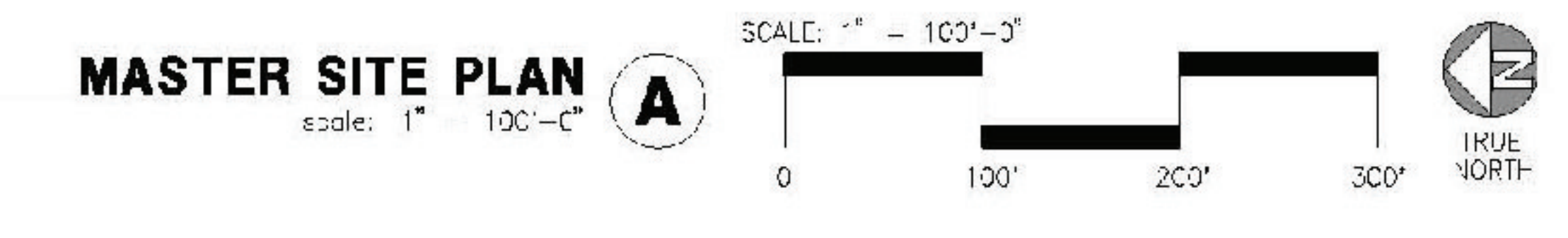
Secondary Open Land Area
 Truck Court Areas
 75 ft x 600 ft
 45,000 SF
 1.03 AC Each
 4.1 AC Total



Open Land Area Requirements
 Required - 10% of Project Acreage (8.4 AC)
 Proposed - Streets Total = 5.4 AC
 Truck Court Yard Areas = 4.1 AC
 Overall Total Provided = 9.5 AC

LEGEND

	P-HASE I
	P-HASE II



PROJECT DATA

	BLDG. 1	BLDG. 2	BLDG. 3	BLDG. 4	BLDG. 5	BLDG. 6	BLDG. 7	BLDG. 8	TOTAL
SITE AREA									
in s.f.	1,102,365	1,122,569	433,123	284,866	176,317	124,273	202,801	215,547	3,661,861 s.f.
in acres	25.3	25.8	9.9	6.5	4.0	2.9	4.7	4.9	84.1 ac
BUILDING AREA									
Office	20,000	20,000	10,000	5,000	5,000	5,000	5,000	5,000	75,000 s.f.
warehouse	551,000	588,200	207,700	114,900	64,300	34,100	80,400	91,400	1,712,000 s.f.
TOTAL	571,000	588,200	217,700	119,900	69,300	39,100	85,400	96,400	1,787,000 s.f.
COVERAGE	51.8%	52.4%	50.3%	42.1%	39.3%	31.5%	42.1%	44.7%	48.8%
BUILDING INT. CLEAR HEIGHT	40'-0"	40'-0"	36'-0"	32'-0"	32'-0"	30'-0"	32'-0"	32'-0"	
AUTO PARKING REQUIRED									
Office: 1/250 s.f.	80	80	40	20	20	20	20	20	300 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	20	20	20	20	20	160 stalls
over 20K @ 1/2,000 s.f.	286	275	94	48	23	8	31	36	781 stalls
TOTAL	366	375	154	88	63	48	71	76	1,241 stalls
PARKING PROVIDED									
Standard (9' x 18')	242	256	169	119	91	64	105	107	1,153 stalls
Trailer (12' x 55')	134	119							253 stalls
TOTAL	376	375	169	119	91	64	105	107	1,406 stalls
LANDSCAPE PROVIDED									
in s.f.	110,471	117,288	57,992	31,482	20,500	18,520	18,488	23,156	397,897 s.f.
Percentage -	10.0%	10.4%	13.4%	11.1%	11.6%	14.9%	9.1%	10.7%	10.9%

OFFICIAL USE ONLY



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV18-036

DESCRIPTION: A Development Plan to construct three industrial buildings totaling 1,447,123 square feet and five business park buildings totaling 105,624 square feet, located at the northeast corner of Merrill and Euclid Avenues, within the Industrial and Business Park land use districts of the Ontario Ranch Business Park Specific Plan. APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03, **submitted by Euclid Land Venture, LLC. Planning Commission action required.**

Part I—BACKGROUND & ANALYSIS

EUCLID LAND VENTURE, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV18-036, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The project site is comprised of 85.6 acres of land bordered by Eucalyptus Avenue to the north, Sultana Avenue to the east, Merrill Avenue to the south, and Euclid Avenue to the west, and is depicted in Exhibit A—Project Aerial, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Ag/Dairy and SFR	General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre)	Specific Plan / Agricultural Overlay	N/A
<i>North</i>	Plant Nursery/Dairy	Mixed-Use Area 10: NMC West	Specific Plan / Agricultural Overlay	N/A
<i>South</i>	Chino Airport	N/A	N/A	N/A
<i>East</i>	Dairy and SFR	Low-Medium Density Residential (5.1-11 dwelling units per	Specific Plan / Agricultural Overlay	N/A

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
		acre) and Business Park (0.60 FAR)		
<i>West</i>	Residential and Vacant (City of Chino)	High Density Residential & Urban Reserve (City of Chino)	N/A	HDR - High Density Residential & OS-1 – Open Space Recreational (College Park SP - City of Chino)

(2) **Project Description:**

(a) Background — The Ontario Ranch Business Park Specific Plan (File No. PSP18-002) was approved, and the related Environmental Impact Report (“EIR”; SCH# 2019050018) was certified, by the City Council on September 15, 2020. The Ontario Ranch Business Park Specific Plan (“ORBP SP”) established the land use designations, development standards, and design guidelines on 85.6 acres of land, which included the potential development of up to 1,905,027 square feet of industrial and business park development.

In 2010, The Ontario Plan (“TOP”) was adopted, which set forth the land use pattern for the City, to achieve its Vision. With the adoption of the related TOP amendment (File No. PGPA18-008), Business Park and Industrial land use designations were assigned to the Project site.

On November 13, 2018, the applicant submitted the subject Tentative Parcel Map (File No. PMTT18-011) in conjunction with a Development Plan (File No. PDEV18-036) to facilitate the construction of three industrial buildings totaling 1,447,123 square feet and five business park buildings totaling 105,624 square feet.

(b) Site Design/Building Layout — The rectangular project site will predominantly orient smaller business park buildings (buildings 4-8, less than 125,000 square feet) toward the public rights of way that will be facing future residential and commercial uses, along Eucalyptus Avenue and Euclid Avenue. The larger industrial buildings (Buildings 1-3) will be sited toward the interior of the site, facing other future industrial uses to the east, along Sultana Avenue, and to the south, within Chino Airport, along Merrill Avenue.

(c) Site Access/Circulation — The Project site will be accessible from all four surrounding streets. Two access driveway points will be provided along Euclid Avenue (between Buildings 3 and 4 and Buildings 4 and 5) for trucks and passenger vehicle access (pending Caltrans review and approval). Two points of access from Eucalyptus Avenue (between Buildings 6 and 7 and Buildings 7 and 8) are provided for trucks and passenger vehicles. Along Sultana Avenue, four driveway access points (between Buildings 8 and 1, and Buildings 1 and 2 and at the southeast area of Building 2) will be provided for truck entries and passenger vehicle entries. One point of access for trucks and passenger vehicles from Merrill Avenue will be provided (between Buildings 2 and 3). Reciprocal parking and circulation access will be available throughout the project site to accommodate all buildings.

(d) **Parking** — All future land uses will be required to meet all Development Code and ORBP SP parking standards and regulations. Conceptual parking of the site provides for a variety of parking solutions, depending on the ultimate user, with a total of 1,150 parking spaces shown. Alternative parking plans have been provided, which convert excess truck trailer spaces into passenger vehicle spaces as needed, for a potential total of 1,607 parking spaces. The conceptual parking plan has been calculated under the “Warehousing and Distribution” rate per Table 4.4 of the ORBP SP as follows:

- One space per 1,000 square feet of gross floor area for first 20,000 square feet; 0.5 spaces per 1,000 square feet of additional gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors.
- Required parking for “general business offices” (four spaces per 1,000 square feet of gross floor area) and other associated uses, when those uses exceed ten percent of the building gross floor area.

The required and provided parking has been summarized in Table A, below.

Table A: Parking Summary						
Bldg. No.	Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
			Required	Provided	Required	Provided
1	Warehouse / Distribution	595,770 SF	21	102	308	303 (*495)
2	Warehouse / Distribution	617,353 SF	21	120	319	313 (*505)
3	Warehouse / Distribution	224,000 SF	8	8	127	127 (*134)
4	Warehouse / Distribution	129,525 SF	5	5	95	101 (*114)
5	Warehouse / Distribution	78,956 SF	3	3	82	80 (*86)
6	Warehouse / Distribution	47,770 SF	2	2	74	64 (*77)
7	Warehouse / Distribution	96,029 SF	4	3	89	73 (*95)
8	Warehouse / Distribution	105,624 SF	4	3	89	89 (*101)
Parking Totals: <i>(*Alternate Parking Plan providing additional vehicular parking spaces within trailer courtyard area)</i>					1,183	1,150 (*1,607)

(e) **Architecture** — The architectural theme of the ORBP SP area as a whole incorporates a Contemporary Architectural style, and each planning area (business park and industrial park) will be complementary of one another. The proposed buildings are of concrete tilt-up construction, and all eight buildings incorporate a common architectural design theme, with enhanced elements and treatments located at office entries and along street-facing elevations

(see Exhibit C—Typical Elevations, and Attachment B—Building Elevations Package). Architectural elements for all buildings include smooth-painted concrete in white and gray tones, with horizontal and vertical reveals, storefronts with clear anodized mullions and blue reflective glazing, formliners with random plank vertical panels, and metal canopies. Mechanical equipment will be roof-mounted and obscured from public view by parapet walls. Loading/dock areas will be screened from public view by 14-foot high concrete tilt-up screen walls that have been designed to be complementary to the building architecture.

(f) Landscaping — The ORBP SP requires minimum 10 percent landscape coverage be provided for buildings within the Industrial land use district, and minimum 15 percent landscape coverage be provided for buildings within the Business Park land use district. Eleven percent landscape coverage has been provided for the Industrial land use district, and 15 percent has been provided for the Business Park land use district, meeting the required minimum landscape coverage. The Project provides substantial landscaping along the full perimeter of the site, with extra buffering provided along Euclid Avenue (see Exhibit D—Conceptual Landscape Plan). Interior to the site, landscaping is provided adjacent to buildings and throughout parking lot and drive aisle areas to soften the appearance of these areas and provide additional shading for these areas.

The Project includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along the surrounding streets. The proposed on-site and off-site landscape improvements will assist toward creating a walkable, safe area for pedestrians to access the Project site. A landscaped median, multi-purpose trail and neighborhood edge will be installed along Euclid Avenue. A multi-purpose trail and neighborhood edge will also be installed along Eucalyptus and Merrill Avenues.

The landscape plan incorporates an assortment of 24- to 48-inch box trees, such as cedar, redbud, willow, cypris, oak, pistache, sycamore, pine, pepper, and box varieties. The project will also incorporate low-water usage and drought-tolerant shrubs and groundcovers. Additionally, each building will have access to employee break areas, with benches, tables, and shade trees.

(g) Signage — All future signage will be subject to review and approval of a comprehensive sign program for the Specific Plan area. The sign program will facilitate integration of the signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs. Key provisions will include an entry monument at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park; center and tenant identification signage, including traffic and wayfinding signs, building signs, and secondary monumentation; and visitor and directional signage.

(h) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA19-001) and requirements of the ORBP SP. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes the Project’s compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater retention chambers where downstream landscape

areas are limited and installation of stormwater drywells in detention areas. The applicant also proposes to install gravity separator devices for pretreatment of sediment, trash/litter, oil, and grease.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the Ontario Ranch Business Park Specific Plan Environmental Impact Report (State Clearinghouse No. 2019050018) was certified by the City Council on September 15, 2020 ("Certified EIR") in conjunction with File No. PSP18-002, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-002, the Ontario Ranch Business Park Specific Plan for which an EIR (SCH# 2019050018) — (hereinafter referred to as "Certified EIR") was adopted by the City Council on September 15, 2020; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *ALUCP Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Business Park (0.6 FAR) and Industrial (0.55 FAR) land use districts of the Policy Plan Land Use Map, and the Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan. With approval of related file PMTT18-011, the development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** With approval of related file number PMTT18-011 and implementation of the Project's conditions of approval, the Project has been designed consistent with the requirements of the City of Ontario Development Code and Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan, including standards relative to the particular land use proposed (business park and industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Business Park and Industrial zoning districts of the Ontario Ranch Business Park Specific Plan. With approval of related File No. PMTT18-011, the Project will complement and improve upon the quality of existing development in the vicinity of the Project site and provide continuity over the developing business park/industrial corridor running along the southern side of Eucalyptus Avenue. The Project site is currently partially vacant and partially with dairy/agricultural uses, and the proposed development will provide additional business park and industrial business placement options for the greater Ontario community.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Ontario Ranch Business Park Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (business park and industrial). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the

conditions of approval and related Tentative Parcel Map File No. PMTT18-011, will be consistent with the development standards and guidelines described in the Ontario Ranch Business Park Specific Plan.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

EXHIBIT A—PROJECT AERIAL

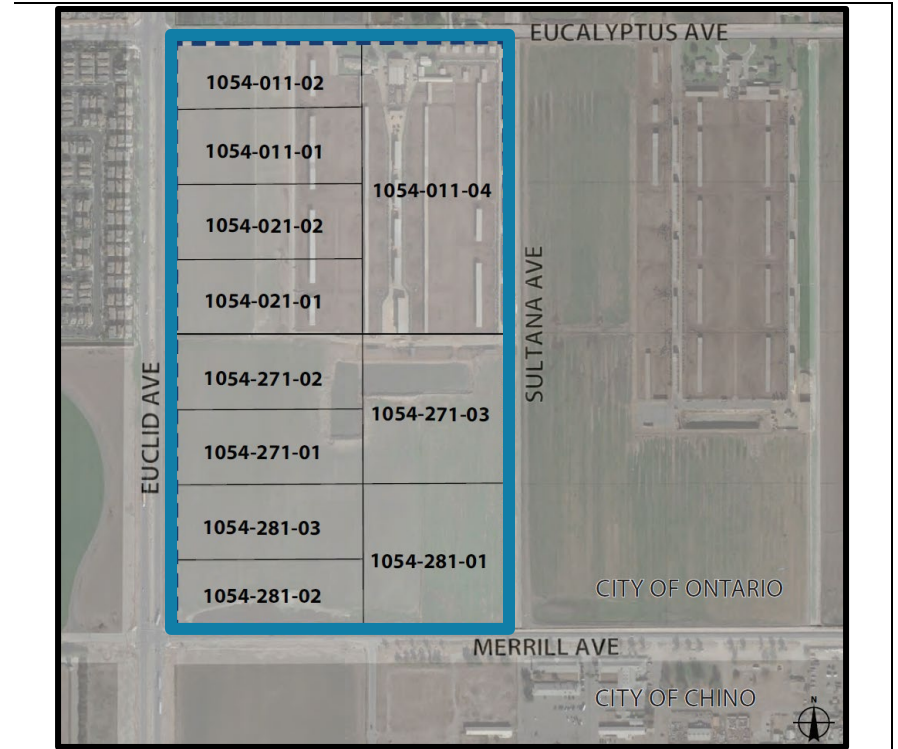
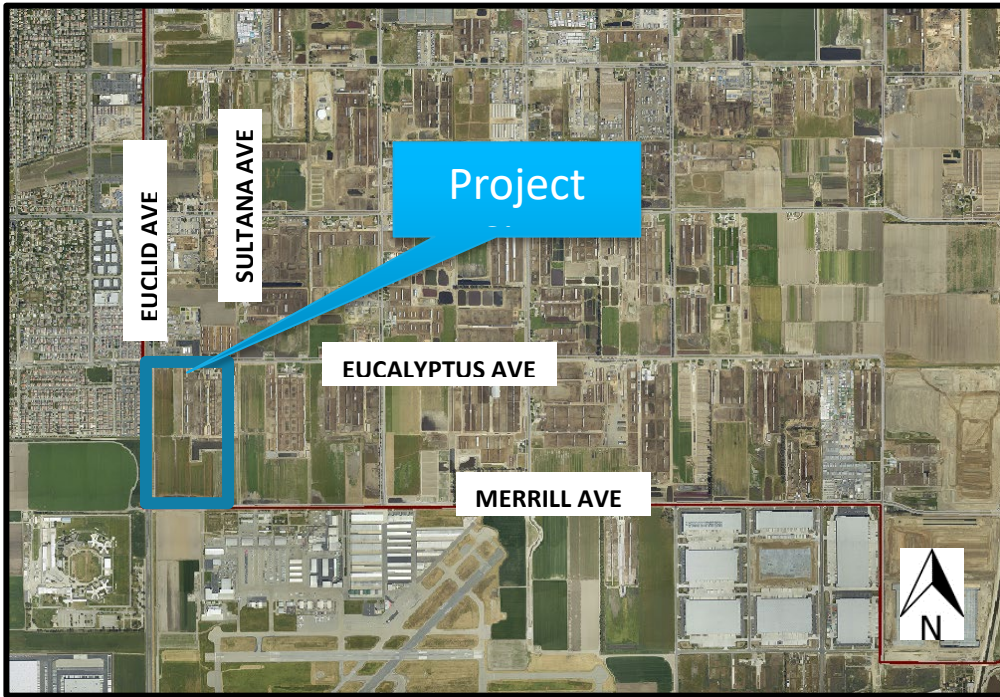


EXHIBIT B—SITE PLAN

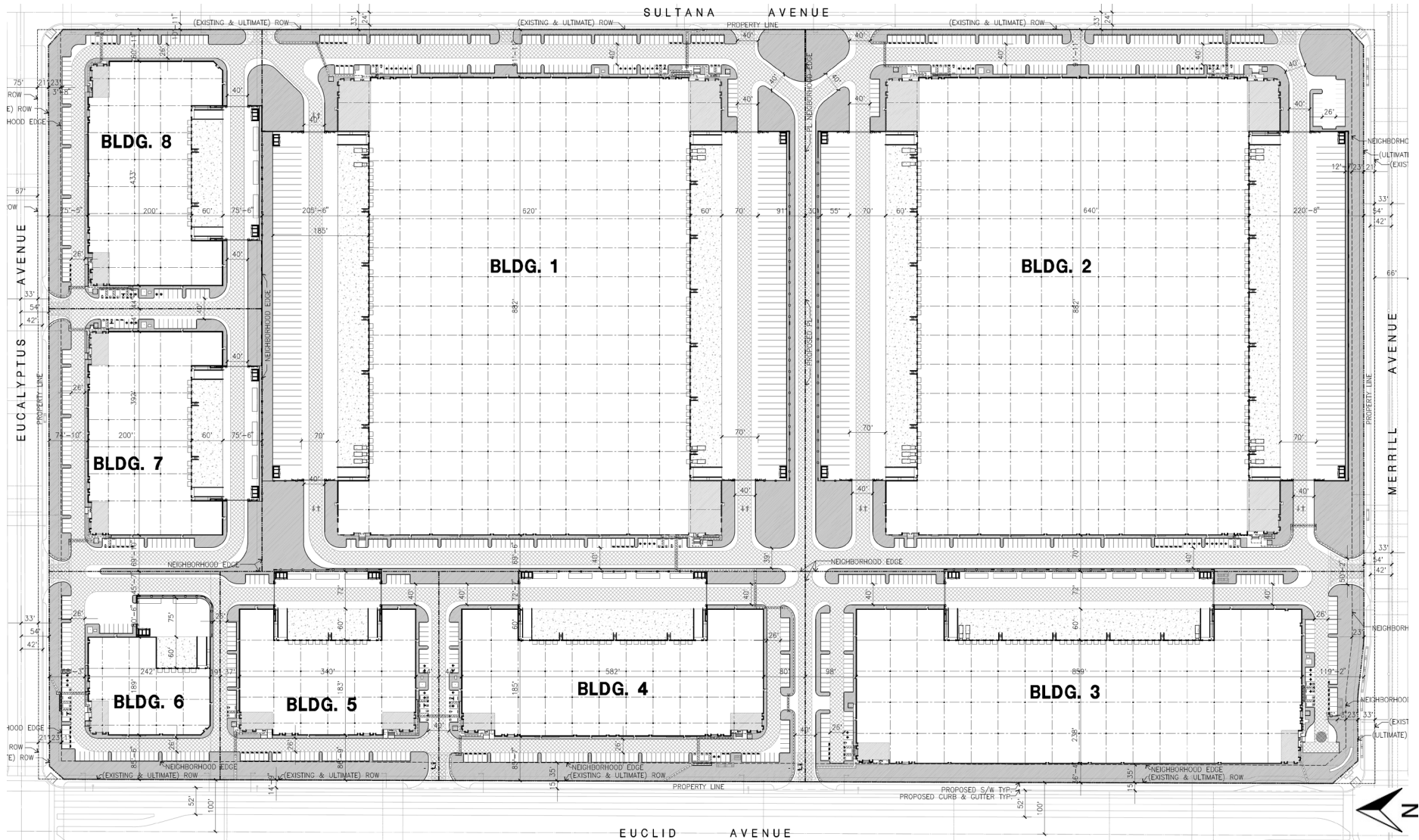
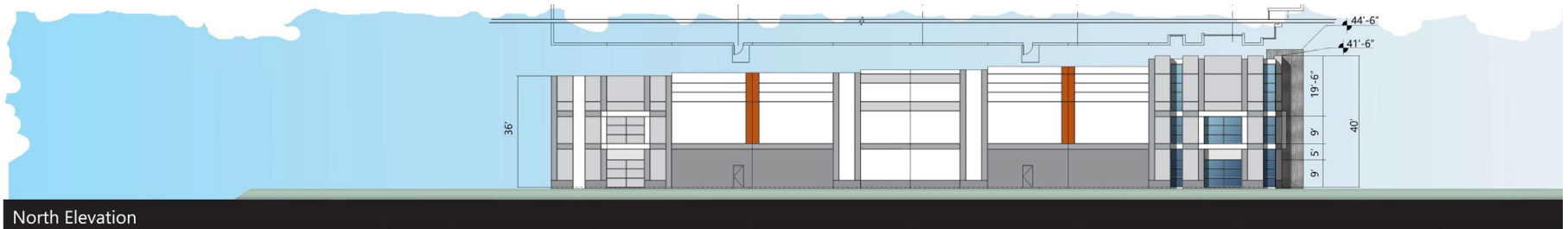


EXHIBIT C—TYPICAL ELEVATIONS



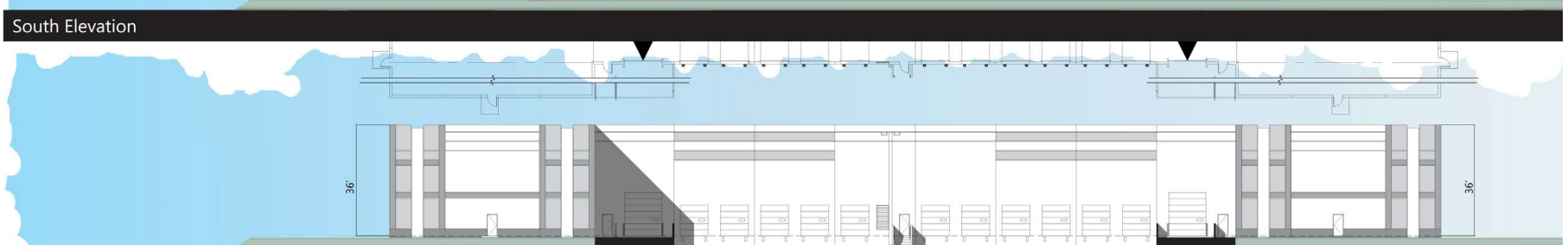
North Elevation



West Elevation



South Elevation



East Elevation

EXHIBIT D—CONCEPTUAL LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PDEV18-036

Related Files: PMTT18-011 (TPM 20016)

Project Description: A Development Plan (File No. PDEV18-036) to construct three Industrial buildings totaling 1,447,123 square feet and five Business Park buildings totaling 105,624 square feet, located at the northeast corner of Merrill and Euclid Avenues, within the Industrial and Business Park land use districts of the Ontario Ranch Business Park Specific Plan (APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03); **submitted by Euclid Land Venture, LLC.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSP18-002, the Ontario Ranch Business Park Specific Plan for which an EIR (SCH# 2019050018) was previously adopted by the City Council on September 15, 2020. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) Development Plan File No PDEV18-036 approval is contingent on Planning Commission approval of related Tract Map File No. PMTT18-011 and Development Agreement File No PDA19-001.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: November 15, 2018
SUBJECT: PDEV18-036

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Henry No, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: November 26, 2018

SUBJECT: PDEV18-036 - A Development Plan to construct 8 industrial building totaling 3,661,861 square feet on 84.1 acres of land within Planning Area (Business Park) and Planning Area 2 (Industrial) of the proposed Ontario Ranch Commerce Center West Specific Plan, bounded by Eucalyptus Avenue to the north, Merrill Avenue to the south, Sultana Avenue to the east and Euclid Avenue to the west. APNs: 1054-011-01,02 & 04, 1054-021-01, 02, & 03, 1054-271-01, 1054281-01, 02 & 03.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Not listed (Assumed 11B)
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Varies 96,400 Sq. Ft. to 588,200 Sq. Ft
- D. Number of Stories: 1
- E. Total Square Footage: Varies
- F. 2016 CBC Occupancy Classification(s): Varies

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services..

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item.. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.9 Hose valves with one and one half inch (1 ½”) connections will be required on the roof of structures greater than 100,000 Sq. Ft, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12’) feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6’) in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
PROJECT FILE NO. PM-20016 RELATED FILE NO(S). PMTT18-011, PDEV18-036		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn (909) 395-2416

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20016, a Tentative Parcel Map to subdivide 84.1 acres of land into eight (8) parcels within the Ontario Ranch Business Park Specific Plan

LOCATION: Northeast corner of Merrill and Euclid Avenues

APPLICANT: Real Estate Development Associates (REDA)

REVIEWED BY:


 Raymond Lee, P.E.
 Assistant City Engineer

10-7-20
 Date

APPROVED BY:


 Khoi Do, P.E.
 City Engineer

10-7-20
 Date



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 - 1. Merrill Avenue to the ultimate half street right-of-way width of 54 feet along the project frontage
 - 2. Eucalyptus Avenue to the ultimate half street right-of-way width of 54 feet along the project frontage
 - 3. An additional 35' from the ultimate right-of-way of Euclid Avenue along the project frontage for a 50' neighborhood edge
 - 4. An additional 23' from the ultimate right-of-way of Merrill Avenue along the project frontage for a 35' neighborhood edge
 - 5. An additional 23' from the ultimate right-of-way of Eucalyptus Avenue along the project frontage for a 35' neighborhood edge
 - 6. Property line corner 'cut-back' required at all street intersections within the project boundaries

- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s):
 - 1. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company. See COA 1.14-3.

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.

- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.



- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
- (1) _____
- (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 1.13 **New Model Colony (NMC) Developments:**
- 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
- 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
- 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 **Other conditions:**
- 1. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
- 2. The Parcel Map shall comply with the approved Ontario Ranch Business Park Specific Plan, the Development Agreement and the Conditions of Approval for this Tentative Parcel Map.
- 3. Applicant/developer shall obtain all off-site right-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20016 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.



- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans) – for any improvements encroaching into their right-of-way on Euclid Ave (State Route 83)**
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA) – for sewer connection at Kimball & Euclid Aves and the recycled water connection at Eucalyptus & Sultana Aves and Eucalyptus & Euclid Aves**
 - Other:**
 - **County of San Bernardino Department of Airport – for any improvements encroaching into their property**
 - **City of Chino – for any improvements encroaching into their right-of-way**
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____



- 2.12 New Model Colony (NMC) Developments:**
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13** Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14** The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.
- 2.15** Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$3,367,196, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.
- 2.16** Other conditions: _____



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Merrill Avenue	Eucalyptus Avenue	Sultana Avenue	Euclid Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 42 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 52 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 47 additional feet along frontage, including pavm't transitions (A)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 48 additional feet along frontage, including pavm't transitions (B)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 43 feet; along project frontage, including pavm't transitions (C)	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 36 additional feet along frontage, including pavm't transitions (D)
PCC Pavement (Truck Route Only)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New (E) <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New (G) <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

Specific notes for improvements listed in item no. 2.17, above:

- A. Pavement widening will be required on the south side within the City of Chino. Coordinate with the City on those requirements. Please note, if the existing Merrill Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- B. A 14' circulation lane and a 5' paved shoulder are required on the north side. Please note, if the existing Eucalyptus Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- C. A 14' circulation lane and a 5' paved shoulder are required on the east side.



- D. If the existing Euclid Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- E. The location and number of proposed drive approaches are to be reviewed and approved by Caltrans.
- F. Includes neighborhood edge.
- G. These improvements are partially in the City of Ontario and City of Chino.
- H. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 5,280 feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:

Design and install Master Plan Sewer Improvements per Exhibits E and F of the Development Agreement as follows:

- A. Install a Master Plan 21-inch sewer main in Euclid Ave between Eucalyptus Ave and Merrill Ave.
- B. Install a Master Plan 30-inch sewer main in Merrill Ave between Sultana Ave and Euclid Ave.
- C. Install a Master Plan 36-inch sewer main in Euclid Avenue between Merrill Avenue and Kimball Avenue with a connection to the existing 60-inch or 54-inch IEUA Kimball Interceptor Trunk Sewer main at Kimball Ave.
- D. Install an 8-inch sewer main in Sultana Ave from the point of connection for Parcel 8 to Merrill Ave.
- E. The Sultana Ave sewer main design shall follow the TPM 20016 Sanitary Sewer Analysis, dated 07/14/2020, and any deviation from this design shall require the Sewer Analysis to be updated and resubmitted to OMUC for review and approval.
- F. The proposed sewer point of connection for this Parcel map is in Kimball Ave to the 60-inch or 54-inch IEUA Kimball Interceptor Trunk Sewer main. The proposed sewer connection requires approval of a new sewer Regional Connection from the Inland Empire Utilities Agency (IEUA). The applicant must satisfy the following requirements for the proposed Sewer System Point of Connection:
 - i. Regional Connection Approval: The applicant shall submit a written request letter to the City for a new Regional Sewer Connection. The request letter shall include:



an exhibit that shows the tributary area of the Regional Connection; the proposed sewer system main connection through the proposed Regional Connection; IEUA record drawing number, station number and manhole number or the connection point; and a plan and profile detail of the manhole connection and any modification proposed to the manhole. Once received from the applicant, the City will request the new Regional Connection from IEUA. If approved by IEUA, the applicant shall be responsible for meeting all terms, conditions, standards, and requirements IEUA has for the Regional Connection.

- G. Each occupant of the building, or units, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to including possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

D. WATER

- 2.27 A _____ inch water main is available for connection by this project in _____ (Ref: Water plan bar code: _____)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately 13,200 feet away.
- 2.29 Other conditions:

Unless otherwise indicated, design and install Master Plan Potable Water Improvements per Exhibits E and F of the Development Agreement as follows:

- A. Install a Master Plan 24-inch 925 PZ potable water main in Eucalyptus Ave between Carpenter Ave and Grove Ave with a connection to the existing 24-inch 925 PZ potable water main in Eucalyptus Ave.
- B. Install a Master Plan 16-inch 925 PZ potable water main in Eucalyptus Ave between Grove Ave and Euclid Ave.
- C. Install a Master Plan 16-inch 925 PZ potable water main in Euclid Ave between Eucalyptus Ave and Merrill Ave.
- D. Install a Master Plan 16-inch 925 PZ potable water main in Merrill Avenue between Euclid Avenue and Walker Avenue.
- E. Install a Master Plan 16-inch 925 PZ potable water main in Walker Ave between Merrill Ave and Eucalyptus Ave.
- F. Install a Master Plan 30" to 42" 925 PZ potable water main in Grove Ave between Eucalyptus Ave and Chino Ave.
- G. Install a Master Plan 18-inch 1010 PZ potable water main in Chino Ave between Grove Ave and the Cucamonga Creek Channel with a connection to the existing 18-inch 1010 PZ potable water main just west of the Cucamonga Creek Channel.
- H. Install an Interim 1010 PZ to 925 PZ pressure reducing station at the intersection of Grove Ave and Chino Ave.
- I. Phase 2 Water Infrastructure Improvements North of Chino Avenue: The following potable water mains/facilities (final alignments subject to change) are required by the Project, but the Project shall contribute towards the design and construction as described within the Development Agreement:
 - i. Install a Master Plan 42-inch 925 PZ Potable Water main in Grove Avenue between Chino Avenue and Francis Avenue.
 - ii. Install a Master Plan 42-inch 925 PZ Potable Water main in Francis Avenue between Grove Avenue and Bon View Avenue.
 - iii. Install a Master Plan 42-inch 925 PZ Potable Water main in Bon View Avenue between Francis Avenue and Bon View Reservoir Site.
 - iv. Install a Master Plan 9-million gallon reservoir on the Bon View Reservoir Site, two 2,500 GPM groundwater production wells with any treatment necessary to meet water quality standards, and the 16-inch and 24-inch collection mains from the wells to the reservoirs.
- J. Existing 30-inch IEUA Recycled Water main in Eucalyptus Avenue: Pursuant to the Ontario Ranch Business Park Utilities System Map, dated 09/14/2020, the project shall ensure that the PW line maintains all minimum cover and separation requirements from the existing IEUA RW line, especially at PW crossings of the IEUA RW line. This may entail adjusting the vertical alignment of the existing IEUA RW line or the proposed



street grades subject to the approval of the City Engineer and IEUA.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 **Other conditions:**

Design and install Master Plan Recycled Water Improvements per Exhibits E and F of the Development Agreement as follows:

- A. **Install a Master Plan 8-inch 930 PZ recycled water main in Euclid Ave between Eucalyptus Ave and Merrill Ave with a connection to the existing 30-inch IEUA Recycled Water main in Eucalyptus Ave.**
- B. **Install a Master Plan 8-inch 930 PZ recycled water main in Merrill Ave between Euclid Ave and Sultana Ave.**
- C. **Install an 8-inch 930 PZ recycled water main in Sultana Ave between Merrill Ave and Eucalyptus Ave with a connection to the existing 30-inch IEUA recycled water main in Eucalyptus Ave.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 - 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 **New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.**
- 2.37 **Other conditions:**
 - A. **Euclid Ave (State Route 83) is under the jurisdiction of the California Department of Transportation (Caltrans). The Applicant/Developer is solely responsible to ascertain Caltrans requirements for Project approval and permit issuance.**
 - B. **Perform all mitigation measures and operational improvements in accordance with the Traffic Impact Analysis by Urban Crossroads dated July 24, 2019, and to the satisfaction of the City Engineer.**
 - C. **Design and construct new traffic signal on Sultana Ave at Eucalyptus Ave and Merrill Ave. The new traffic signal shall include video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.**
 - D. **Design and construct modifications to the existing traffic signal on Euclid Ave at Eucalyptus Ave and Euclid Ave at Merrill Ave. The traffic signal modification shall address relocation of any equipment including video detection, CCTV, interconnect**



- cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
- E. Euclid Ave and Merrill Ave are designated truck routes in the City of Ontario. The Applicant/Developer shall be responsible to design and construct concrete pavement at the following intersections in accordance with City of Ontario Standard Drawing No. 1207:
 - i. Euclid Ave at Eucalyptus Ave
 - ii. Euclid Ave at Merrill Ave
 - F. Proposed driveways on Euclid Ave shall be restricted to right-in/right-out access only. On-site signage and pavement markings shall be provided for driveway access restrictions.
 - G. Design and construct all driveway approaches in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway Approach. No decorative concrete shall be allowed in the public street right-of-way.
 - H. Design and construct a bus pad to serve future stop on the south side of Eucalyptus Ave, east of Euclid Ave. Pad shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
 - I. Design and construct a bus pad to serve future stop on the north side of Merrill Avenue, West of Sultana Avenue. Pad shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
 - J. Design and construct a bus turnout on the east side Euclid Ave, north of Merrill Ave. Bus turnout shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
 - K. Engineer-of-record shall meet with City Engineering staff prior to starting signing and striping, traffic signal, and street lighting design.
 - L. The applicant/developer shall obtain all rights-of-way necessary to construct all required improvements.
 - M. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
 (Ref: Storm Drain plan bar code: _____)
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.



2.43 Other conditions:

Design and construct Master Plan Storm Drain Improvements per Exhibits E and F of the Development Agreement as follows:

- A. Design and construct a 9.5'x 9.5' RCB storm drain line on Merrill Ave from Euclid Ave to Sultana Ave consistent with the Master Plan of Drainage.
- B. Design and construct a 66" to 90" storm drain line on Eucalyptus Ave from Euclid Ave to Sultana Ave consistent with the Master Plan of Drainage.
- C. Design and construct a 30" storm drain line on Sultana Ave from Eucalyptus Ave to Merrill Ave.
- D. Design and construct a 108" storm drain line on Euclid Ave from Eucalyptus Ave to Merrill Ave consistent with the Master Plan of Drainage.
- E. Pay an in-lieu fee of \$2,446,191 for the construction of the ultimate storm drain improvements on Euclid Ave south of Merrill Ave.
- F. Mitigate flooding of existing storm drain facilities downstream of the project site, in the City of Chino, caused by the project, to the satisfaction and approval of the City of Chino and City of Ontario.
- G. Applicant/Developer shall be responsible for the plan and profile drawings of the ultimate storm drain improvements on Euclid Ave from Merrill Ave to ultimate point of connection south to Pine Avenue, in the City of Chino, to the satisfaction of the City Engineer.
- H. Design and construct storm drain bleeder line or alternative interim connection at the discretion of the City on Euclid Ave south of Merrill Ave. This shall connect to the storm drain lines on Merrill Ave e/o Euclid Ave and Euclid Ave n/o Merrill Ave.

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
 If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
 Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**

2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

2.47 Other conditions:

- A. Design and construct two (2) debris separation baffle boxes or equivalent alternative approved devices to satisfy the statewide trash mandate at the intersection of Euclid Ave and Merrill Ave.



J. SPECIAL DISTRICTS

2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.

2.49 Other conditions: _____

K. FIBER OPTIC

2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Merrill Ave, Eucalyptus Ave, and Euclid Ave.

2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:

<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>

2.53 Other conditions:

- A. Final Solid Waste Handling Plan (SWHP): The TPM 20016 Conceptual Solid Waste Handling Plan dated 05/20/20, shall be updated to meet all conditions and revised into a Final SWHP. Prior to approval of the any building permits, a Final Solid Waste Handling Plan Sheet shall be submitted accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. See *Solid Waste Handling Plan (SWHP) Requirements document* for details.
 - i. Organics Separation and Collection: This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - ii. At minimum this site requires a trash enclosure sized to store three 4-cubic-yard bins (one for refuse, one for recycling, and one for organics) for each potential office area of each building.
- B. Final Integrated Waste Management Report (IWMR): The applicant shall submit a Final Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.



- 3.02 Complete all requirements for recycled water usage.**
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.**
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.**
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.**
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.**
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.**
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT18-011, PDEV18-036, and/or Parcel Map No. 20016

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



- 21. **Payment for Final Map/Parcel Map processing fee**
- 22. **Three (3) copies of Final Map/Parcel Map**
- 23. **One (1) copy of approved Tentative Map**
- 24. **One (1) copy of Preliminary Title Report (current within 30 days)**
- 25. **One (1) copy of Traverse Closure Calculations**
- 26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 28. **Other:** _____



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Planning Department

FROM: Douglas Sorel, Police Department

DATE: November 21, 2018

SUBJECT: PDEV18-036 – A DEVELOPMENT PLAN TO CONSTRUCT EIGHT BUILDINGS AT THE NORTH-EAST CORNER OF EUCLID AVENUE AND MERRILL AVENUE

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways, stairwells, and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers should be installed away from any rooftop obstructions and located as close to the main entrance to each building as possible. Addresses shall be painted in reflective white paint on a flat black background and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in OMC Section 4-11.11.

Additionally, the Ontario Police Department places the following conditions on the project:

- Each digit of the rooftop addresses shall be a minimum 6 feet tall and 2 foot wide.

The Applicant is invited to contact Douglas Sorel at (909) 408-1873 with any questions or concerns regarding these conditions.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

DAB CONDITONS OF APPROVAL	
Sign Off	
	06/01/2020
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
--	---------------------------------

D.A.B. File No.: PDEV18-036 Rev3	Case Planner: Alexis Vaughn
-------------------------------------	--------------------------------

Project Name and Location:
 Ontario Ranch Commerce Center
 SEC Euclid and Eucalyptus Avenues

Applicant/Representative:
 Euclid Land Venture LLC – EPD Solutions
 2030 Main ST suite 1200
 Irvine CA 92614

A Preliminary Landscape Plan (dated 5/11/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.

A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE

Previous Comments Civil/Site Plans

- Show corner ramp and sidewalk per city standard drawing 1213, with max 10' or 13' of ramp and sidewalk behind at corners; show a minimum 4' of concrete behind the ramp, maximum 6' to reduce expanse of concrete at corners.
- Add Note: for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1. Revise all 2:1 slopes.
- Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
- Adjust DG trail to end prior to the corners to allow for monumentation and a safer transition to corner ramp. OK to end parkway landscape before corner utilities.
- After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$278.00</u>
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to:
landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV18-036

Address: Southeast Corner Eucalyptus Avenue and Euclid Avenue

APN: 1054-011-01,02 & 04; 1054-021-01,02 & 03; 1054-271-01, 1054-281-01, 02 & 03

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 8 industrial buildings totaling 3,661,861 square feet

Site Acreage: 84.1 AC Proposed Structure Height: 50 FT

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 3/25/2019

CD No.: 2018-074

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: 130 FT

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

The proposed project is located within the Airport Influence Area of Chino Airport and was evaluated and found to be consistent with the policies and criteria as established by the California Airport Land Use Planning Handbook for Chino Airport provided the following conditions are met:

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2018-074
PALU No.: _____

PROJECT CONDITIONS

The project is located within Safety Zone 6 the Chino Airport Influence Area, the project shall comply with the attached conditions.

1. The project shall maintain a minimum of 10% open land for the project net area. The project shall provide 8.4 acres of open land.
2. Open Land must have a minimum dimensions of (75 feet by 300 feet). Open Land area must be free of structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
4. The attached open space exhibit identifies Eucalyptus Avenue and Merrill Avenue for being the primary acceptable locations to meet open land requirements.
5. The attached open land exhibit also identifies the interior truck yards as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
6. The maximum height limit for the project site is 130 feet and as such, any construction equipment such as cranes or any other equipment/permanent structures exceeding 130 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need to be filed with the FAA and approved prior to operating such equipment on the project site during construction.

PROPERTY OWNER
 -

ADDRESS OF THE PROPERTY
 EUCLID AVENUE AND EUCLYPTUS AVENUE

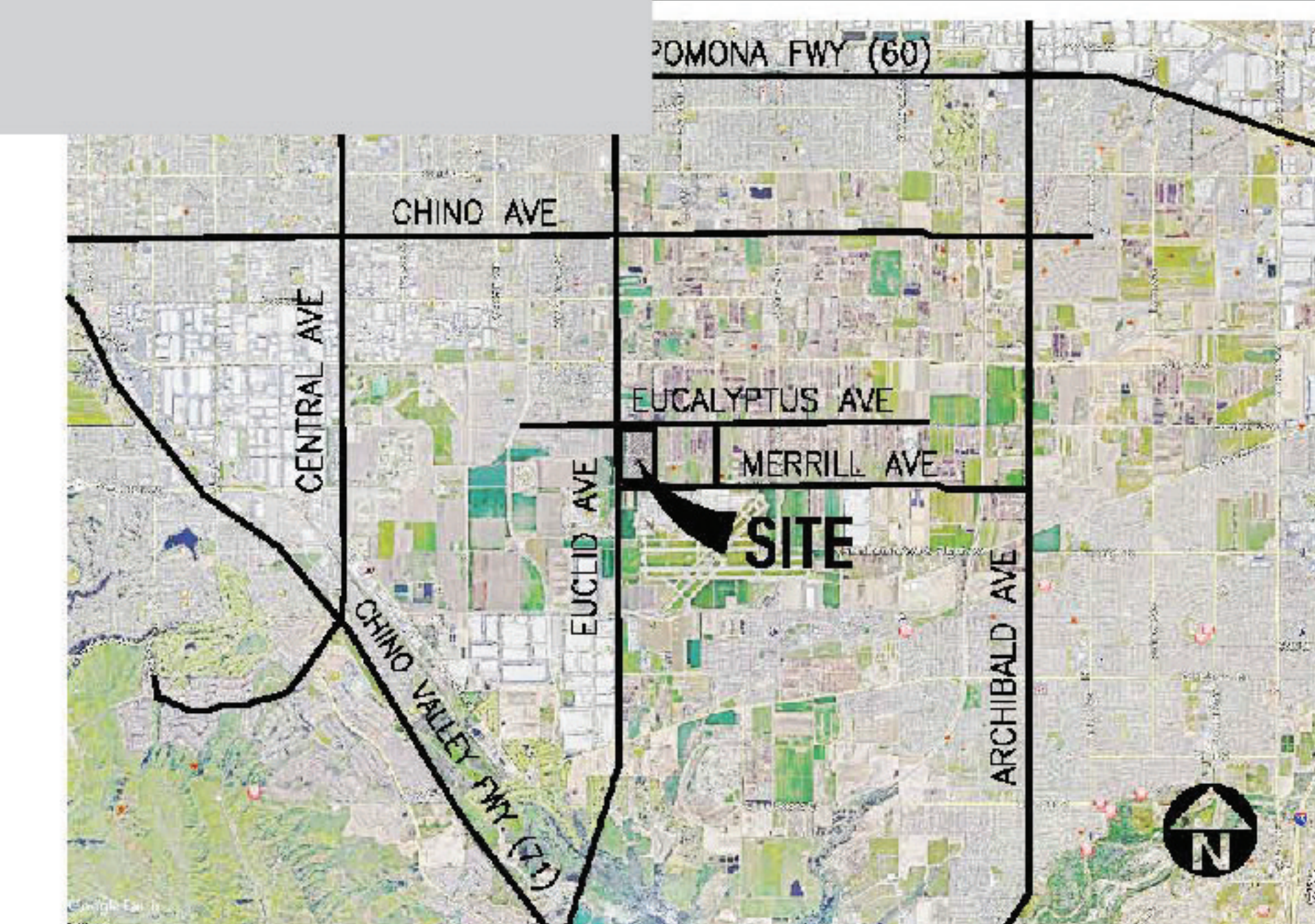
ASSESSOR'S PARCEL NUMBER
 054-011-01 1054-271-01
 054-011-02 1054-271-02
 054-011-04 1054-271-03
 054-021-01 1054-281-01
 054-021-02 1054-281-02
 1054-281-03

ZONING
 F- INDUSTRIAL PARK

LEGAL DESCRIPTION
 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 AND 16 IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO MAP OF SUBDIVISION OF PART OF RANCHO SANTA ANA JEL CHING, RECORDED IN BOOK 6 OF MAPS, PAGE 10, RECORDS OF SAID COUNTY.
 APNs: 1054-011-01, 1054-011-02, 1054-011-04, 1054-021-01, 1054-021-02, 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 AND 1054-281-03

APPLICANT
 REAL ESTATE DEVELOPMENT ASSOCIATES
 4100 MACARTHUR BLVD., SUITE 120
 NEWPORT BEACH, CA 92660
 PHONE: 949.216.7300
 FAX: 949.724.1433

AGENT
 REDA
 REAL ESTATE DEVELOPMENT ASSOCIATES
 Address: 4100 MacArthur Blvd #120,
 Newport Beach, CA 92660
 Phone: (949) 216-7300



HPA
 architecture
 hpa, inc.
 18831 barden avenue, ste. #100
 irvine, ca
 92612
 tel: 949-863-1770
 fax: 949-863-0851
 email: hpa@hparchs.com



Owner:

AGENT
 REDA
 REAL ESTATE DEVELOPMENT ASSOCIATES
 Address: 4100 MacArthur Blvd #120,
 Newport Beach, CA 92660
 Phone: (949) 216-7300

Project:
 EUCLYPTUS AVE &
 EUCLID AVE

CALIFORNIA, ONTARIO

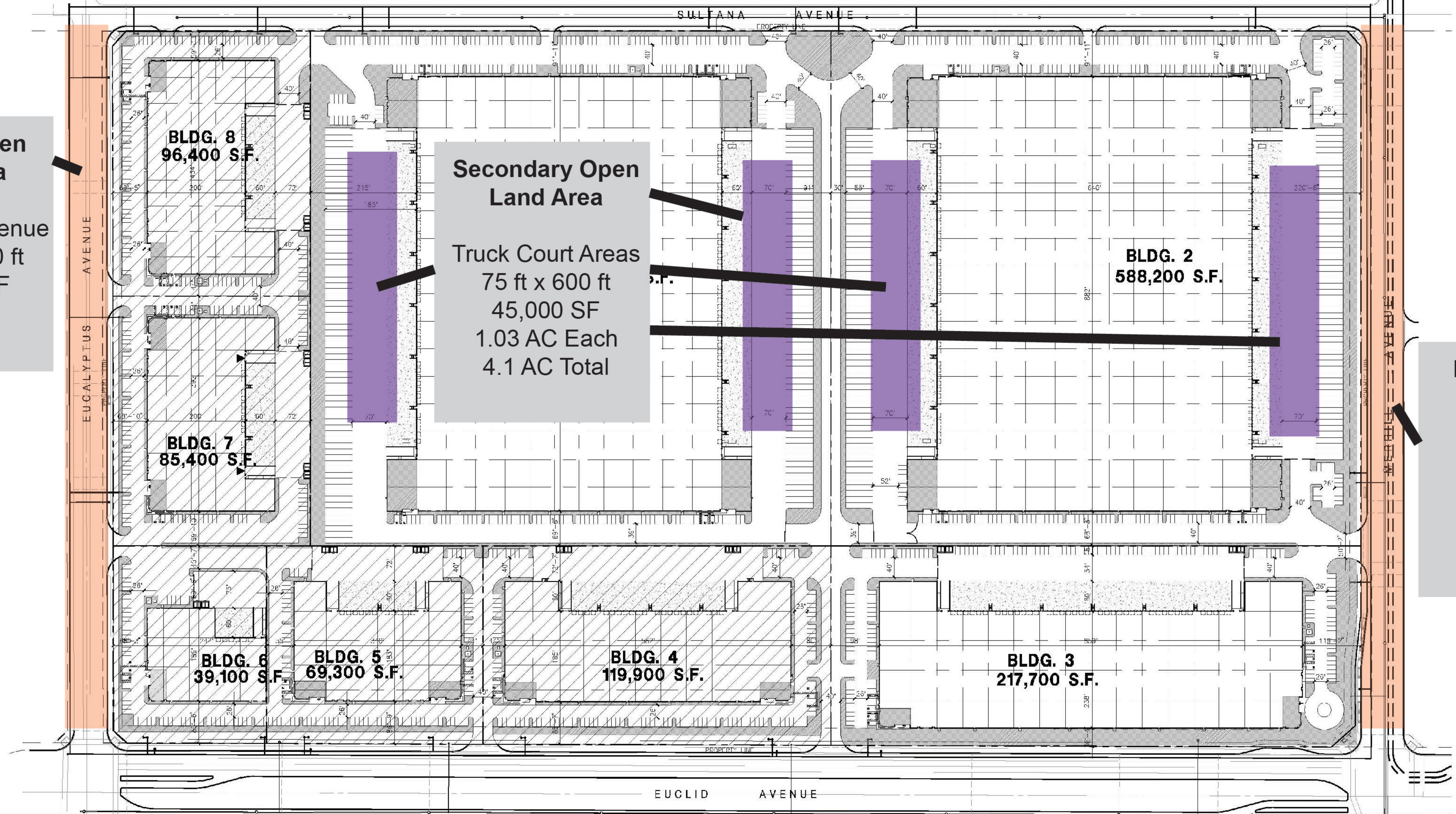
Consultants:
 Thienes Engineering
 CIVIL
 STRUCTURAL
 MECHANICAL
 PLUMBING
 ELECTRICAL
 LANDSCAPE
 FIRE PROTECTION
 SOILS ENGINEER
 Hunter Landscape

Title: master site plan

Project Number: 17534
Drawn by: AWIAC
Date:
Revision:

Sheet:

DAB-A1.0



Primary Open Land Area
 Eucalyptus Avenue
 84 ft x 1,440 ft
 120,960 SF
 2.7 AC

Secondary Open Land Area
 Truck Court Areas
 75 ft x 600 ft
 45,000 SF
 1.03 AC Each
 4.1 AC Total

Primary Open Land Area
 Merrill Avenue
 84 ft x 1,440 ft
 120,960 SF
 2.7 AC

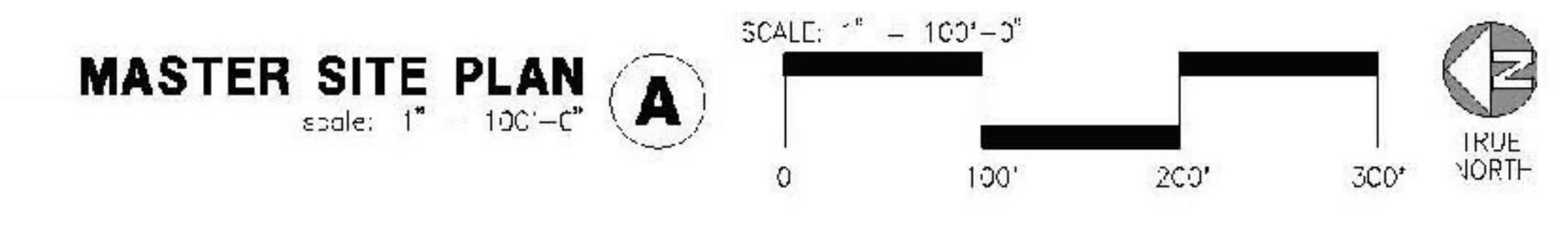
Open Land Area Requirements
 Required - 10% of Project Acreage (8.4 AC)
 Proposed - Streets Total = 5.4 AC
 Truck Court Yard Areas = 4.1 AC
 Overall Total Provided = 9.5 AC

LEGEND

	P-IASC I
	P-IASC II

PROJECT DATA

	BLDG. 1	BLDG. 2	BLDG. 3	BLDG. 4	BLDG. 5	BLDG. 6	BLDG. 7	BLDG. 8	TOTAL
SITE AREA									
in s.f.	1,102,365	1,122,569	433,123	284,866	176,317	124,273	202,801	215,547	3,661,861 s.f.
in acres	25.3	25.8	9.9	6.5	4.0	2.9	4.7	4.9	84.1 ac
BUILDING AREA									
Office	20,000	20,000	10,000	5,000	5,000	5,000	5,000	5,000	75,000 s.f.
warehouse	551,000	588,200	207,700	114,900	64,300	34,100	80,400	91,400	1,712,000 s.f.
TOTAL	571,000	588,200	217,700	119,900	69,300	39,100	85,400	96,400	1,787,000 s.f.
COVERAGE	51.8%	52.4%	50.3%	42.1%	39.3%	31.5%	42.1%	44.7%	48.8%
BUILDING INT. CLEAR HEIGHT	40'-0"	40'-0"	36'-0"	32'-0"	32'-0"	30'-0"	32'-0"	32'-0"	
AUTO PARKING REQUIRED									
Office: 1/250 s.f.	80	80	40	20	20	20	20	20	300 stalls
Whse: 1st 20K @ 1/1,000 s.f.	20	20	20	20	20	20	20	20	160 stalls
over 20K @ 1/2,000 s.f.	286	275	94	48	23	8	31	36	781 stalls
TOTAL	366	375	154	88	63	48	71	76	1,241 stalls
PARKING PROVIDED									
Standard (9' x 18')	242	256	169	119	91	64	105	107	1,153 stalls
Trailer (12' x 55')	134	119							253 stalls
TOTAL	376	375	169	119	91	64	105	107	1,406 stalls
LANDSCAPE PROVIDED									
in s.f.	110,471	117,288	57,992	31,482	20,500	18,520	18,488	23,156	397,897 s.f.
Percentage -	10.0%	10.4%	13.4%	11.1%	11.6%	14.9%	9.1%	10.7%	10.9%



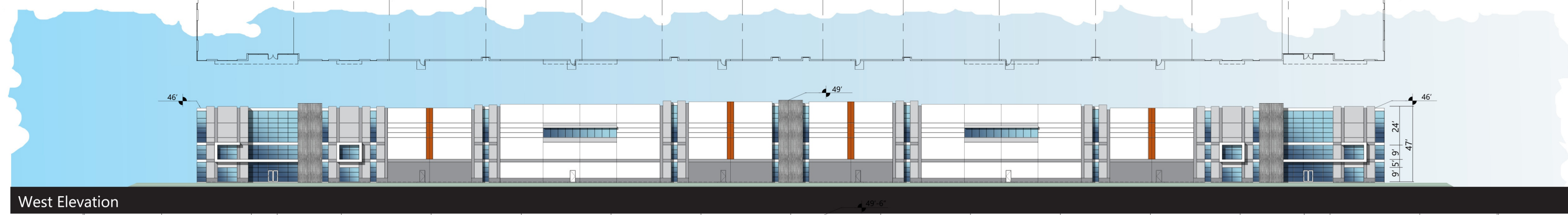
OFFICIAL USE ONLY

Attachment B—Building Elevations Package

(Building Elevations Package follows this page)



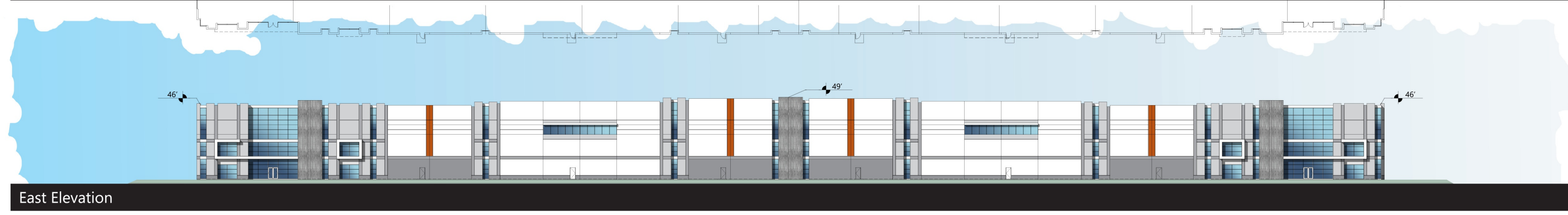
North Elevation



West Elevation



South Elevation



East Elevation

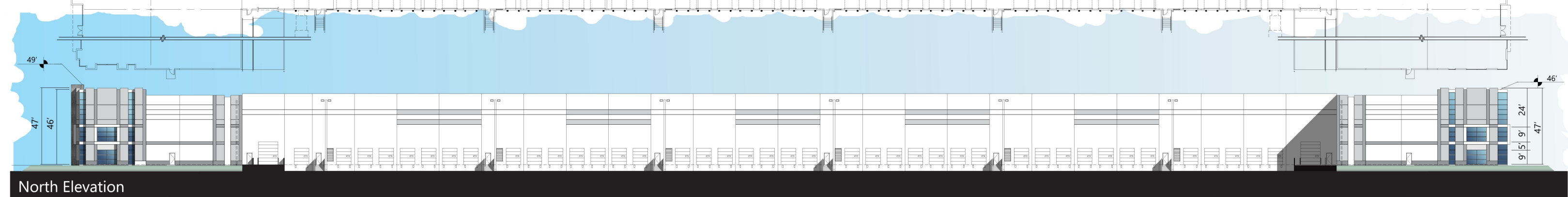


Job No. 17534.00

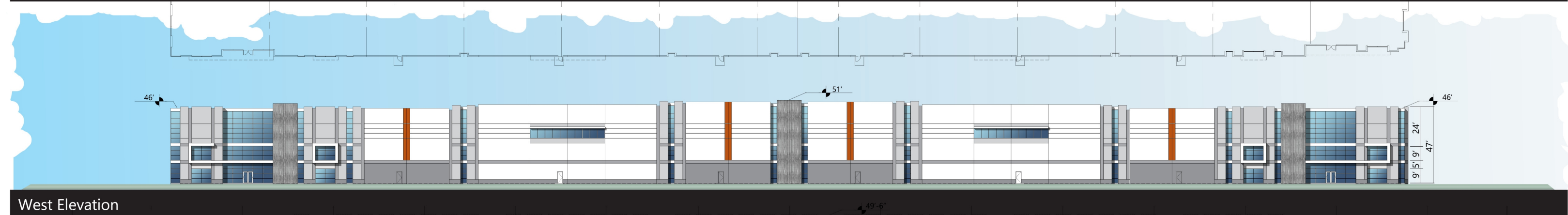
BUILDING 1 (41' CLEAR/47' T.O.P.)

Eucalyptus and Euclid Ave.

Ontario, California



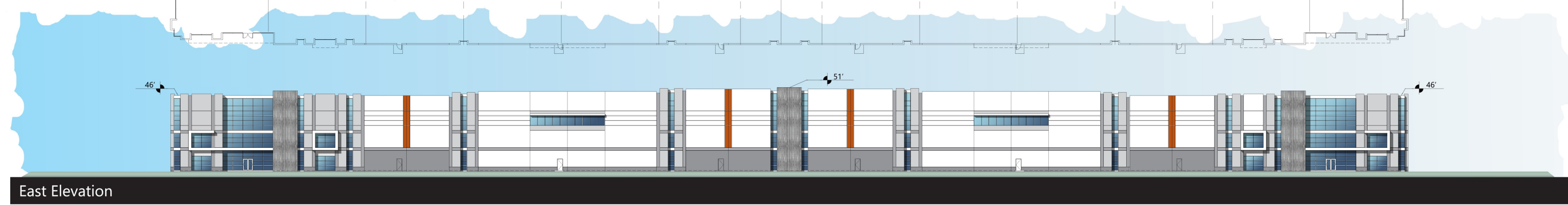
North Elevation



West Elevation



South Elevation

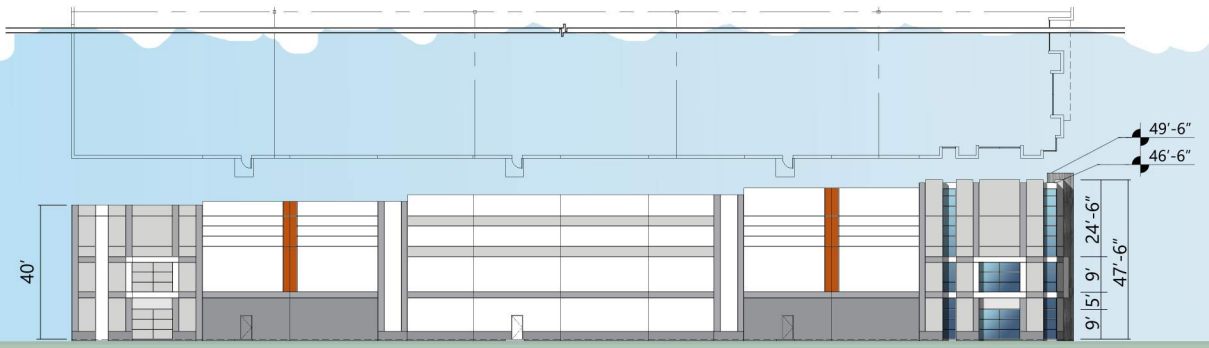


East Elevation

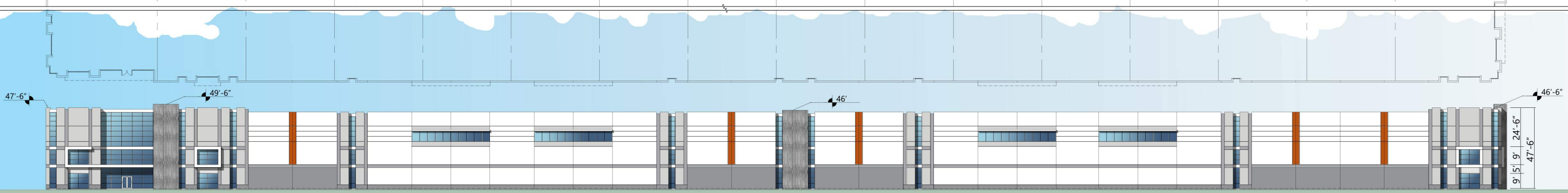


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10.31.2019

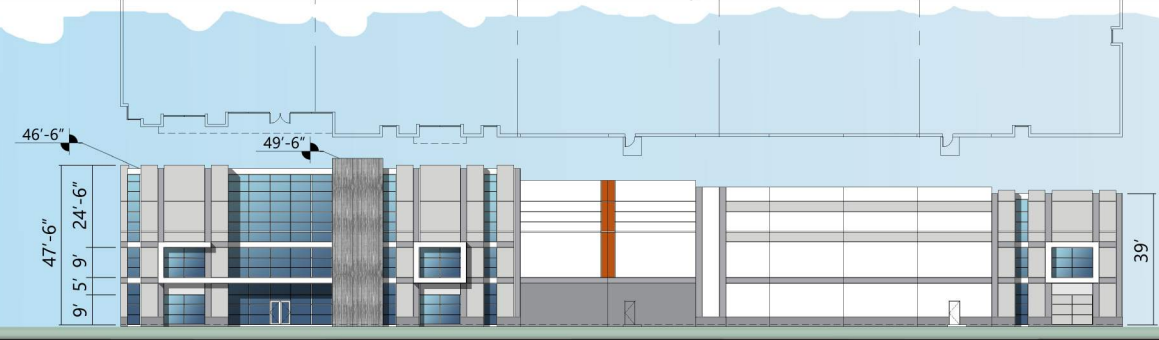
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Ontario, California



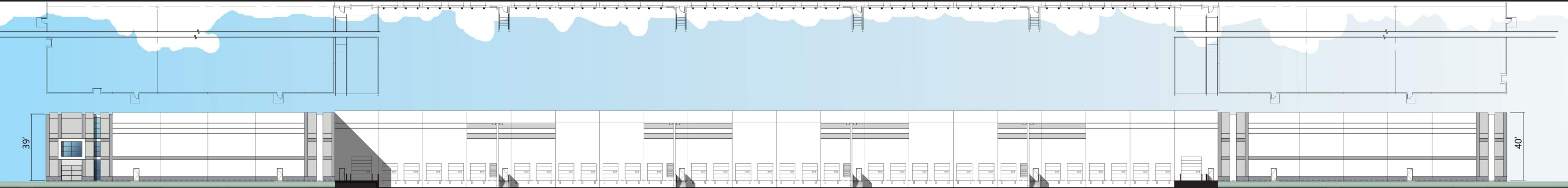
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West Elevation



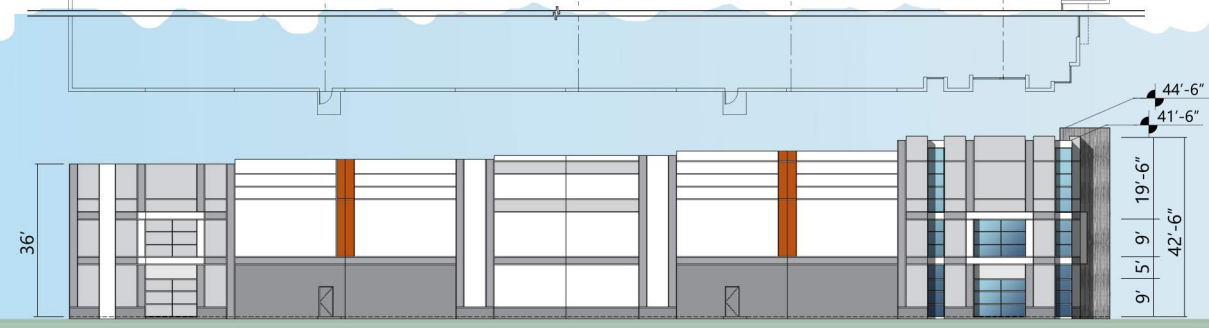
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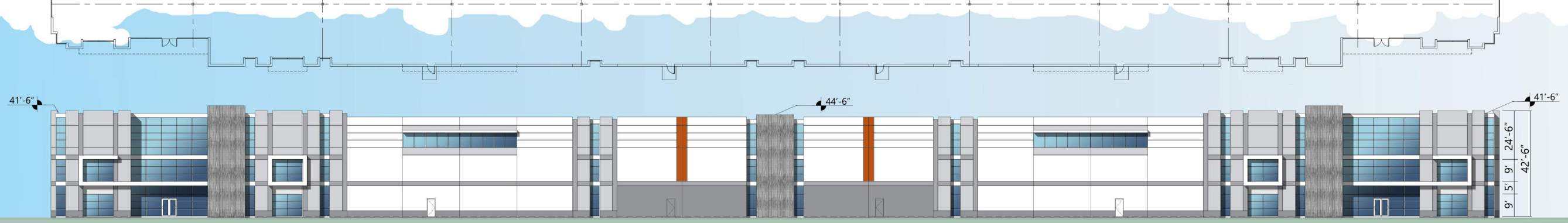
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North Elevation



West Elevation



South Elevation

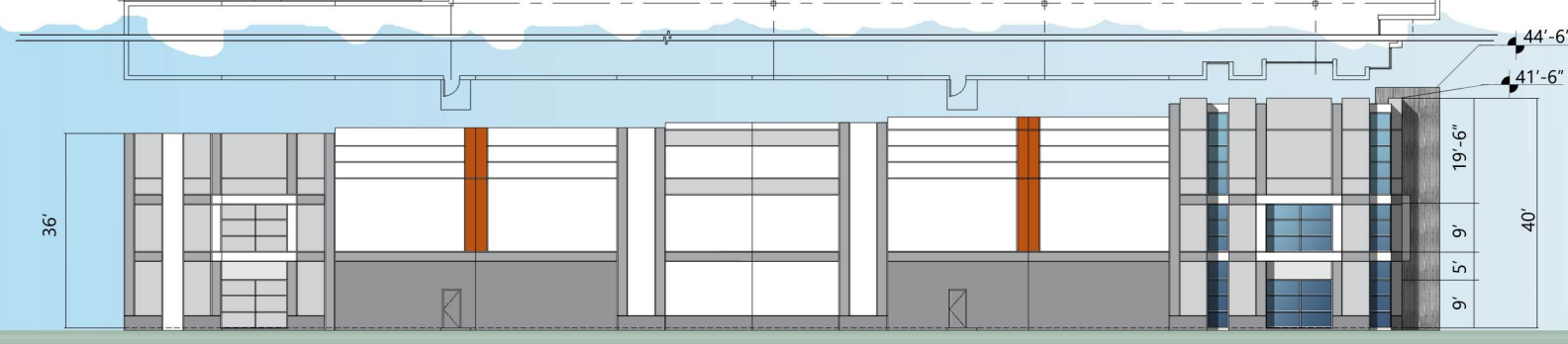


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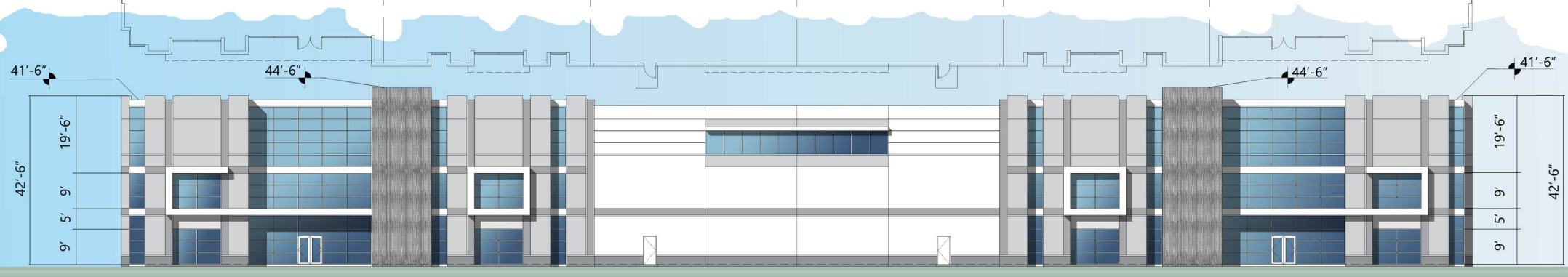


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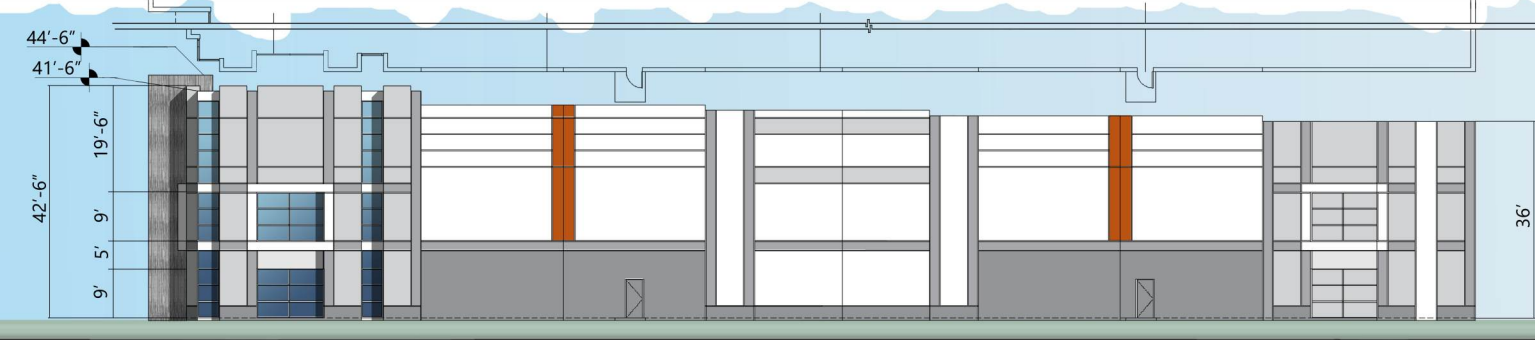
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Ontario, California



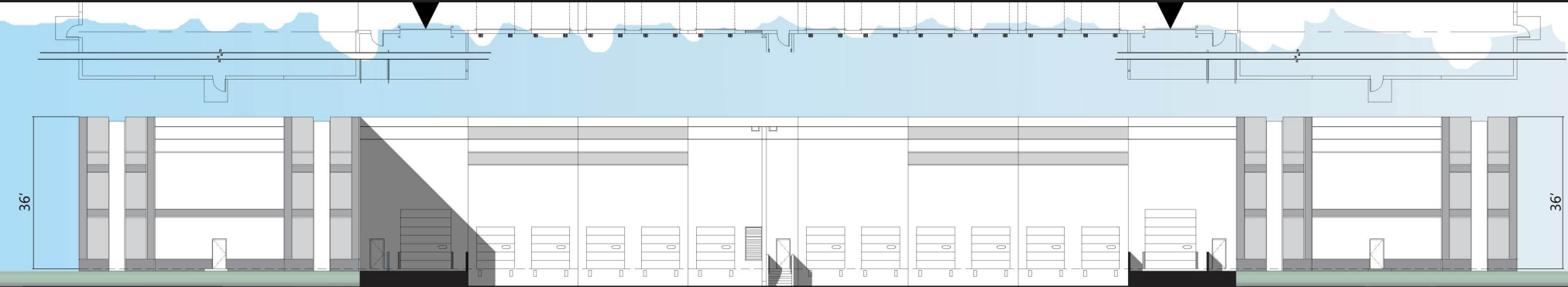
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West Elevation



South Elevation



East Elevation



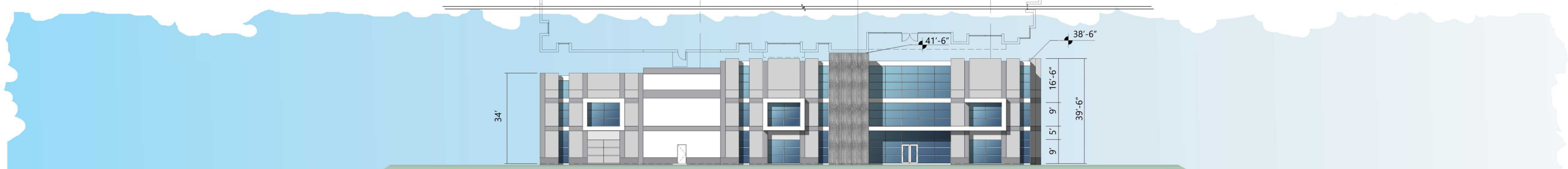
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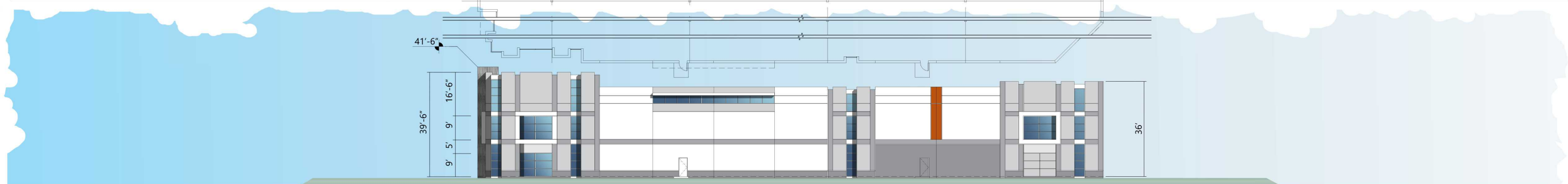
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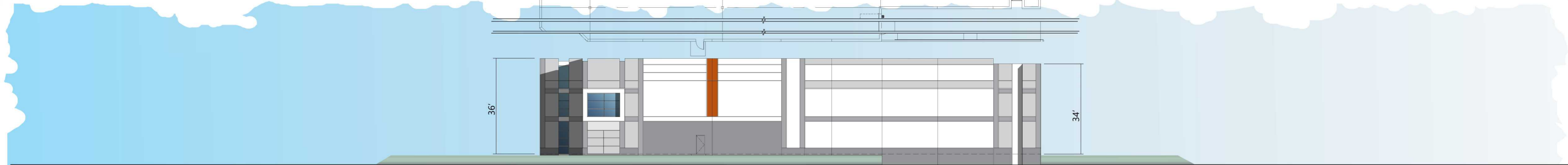
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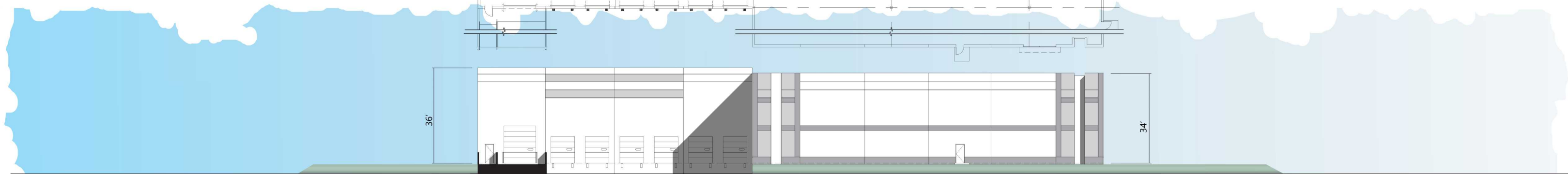
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West Elevation



South Elevation

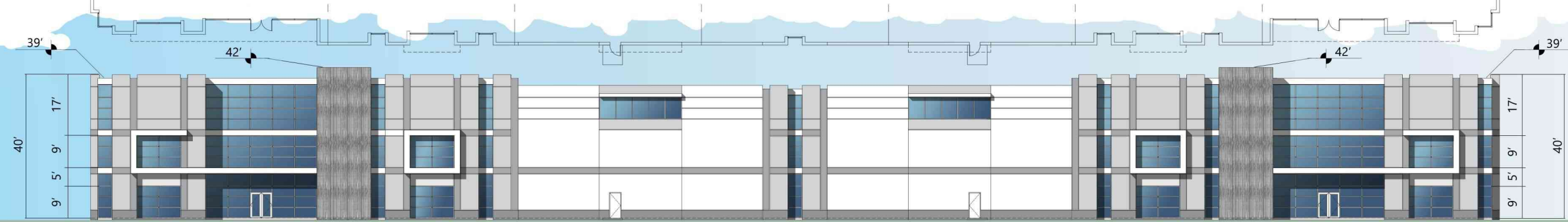


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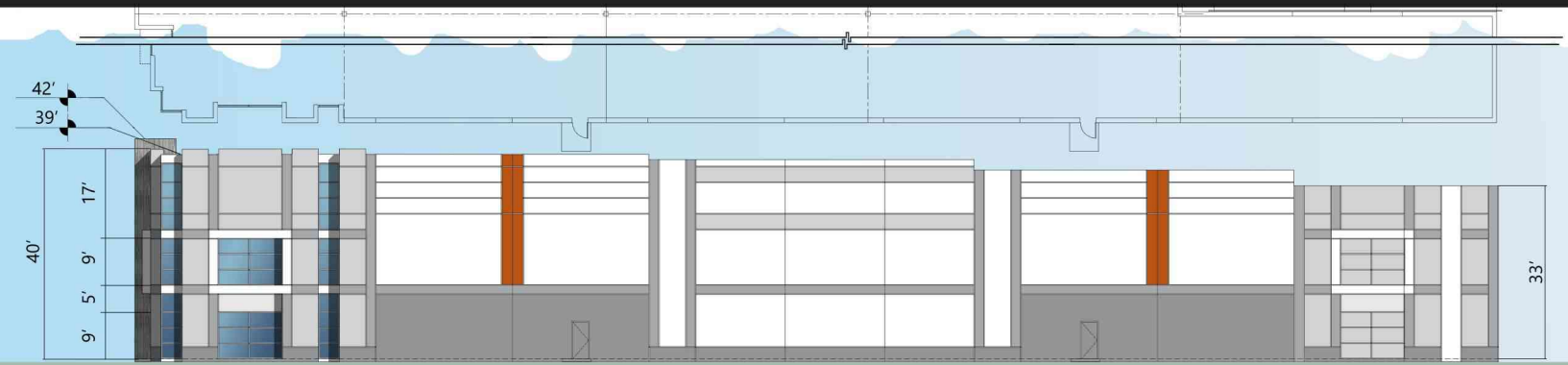


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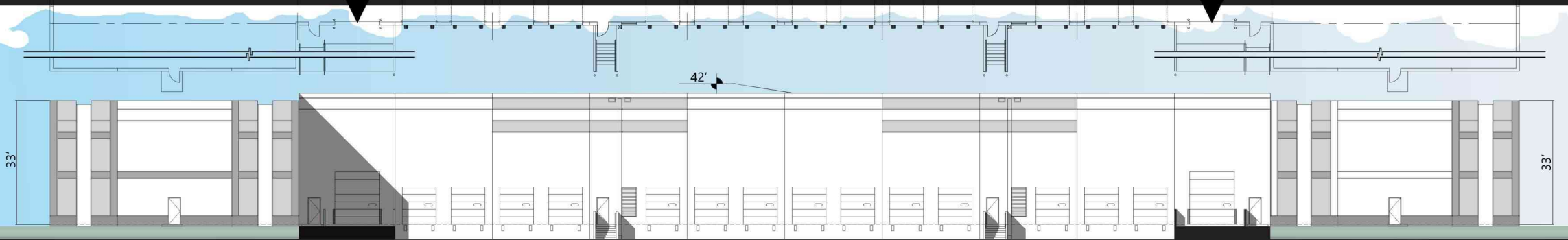
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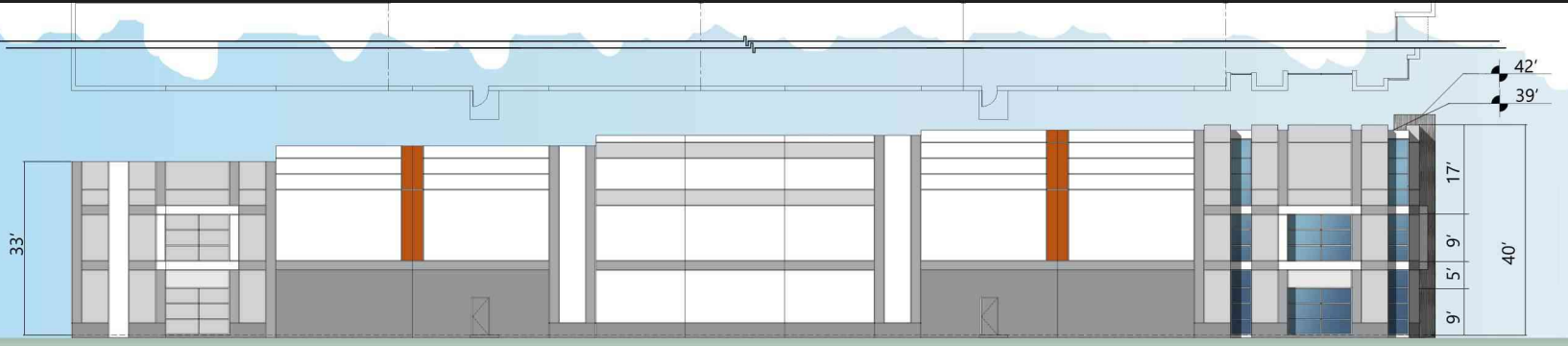
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West Elevation



South Elevation

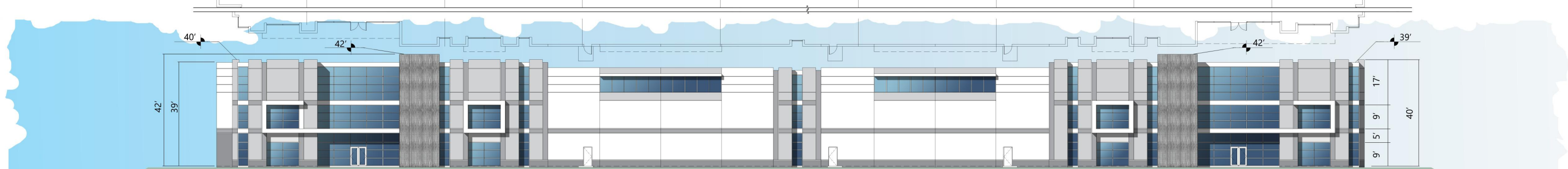


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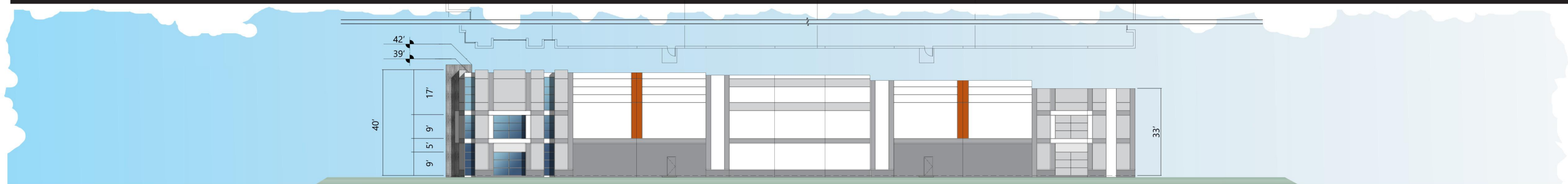


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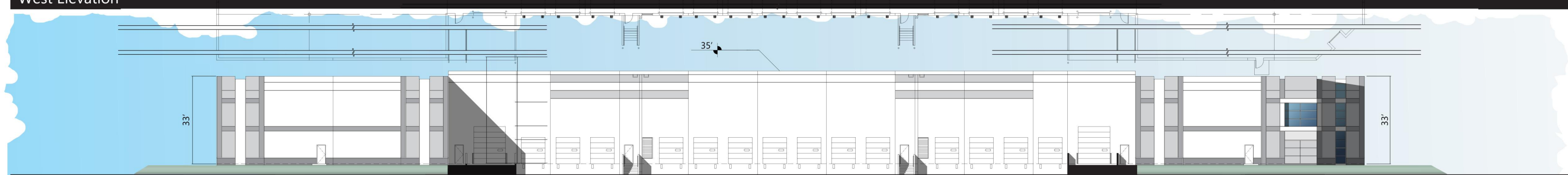
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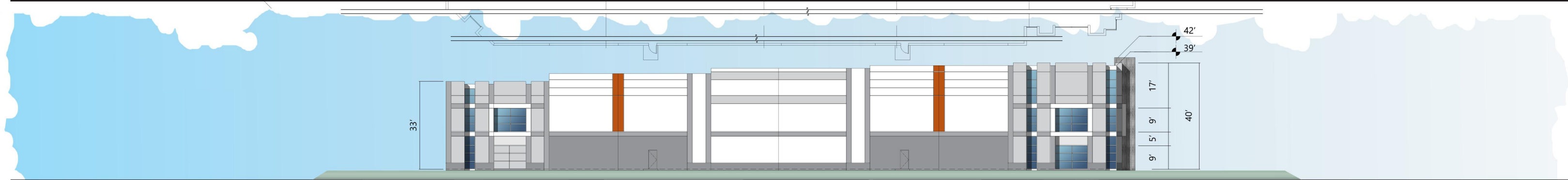
North Elevation



West Elevation



South Elevation



East Elevation



10.31.2019

Job No. 17534.00
 BUILDING 8 (27' CLEAR/33'T.O.P.)
Eucalyptus and Euclid Ave.
 Ontario, California



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NOS.: PGPA19-007, PSPA19-010, PZC19-002, PMTT19-018, PDEV19-059, PDEV20-012, PCUP20-009 and PDEV20-013

DESCRIPTION: An Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140), certified by City Council on January 27, 2010) for the following entitlements: [1] A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use (Hamner/SR-60 Area 12) to 7.6 acres of General Commercial and 33.75 acres of Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; [2] A Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan; [3] A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial); [4] A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels; [5] A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on 20 acres of land; [6] A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license), on 1.27 acres of land; [7] A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land. The Project site is located on the northwest corner of Riverside Drive and Milliken Avenue. (APNs: 1083-361-01, 1083-361-04 & 1083-361-07) **submitted by Toscana Square, LLC c/o Orbis Real Estate Partners. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

TOSCANA SQUARE, LLC., (herein after referred to as “Applicant”) has filed an application requesting a General Plan Amendment (File No. PGPA19-007), Specific Plan Amendment (File No. PSPA19-010), Zone Change (File No. PZC19-002), Tentative Parcel Map (File No. PMTT19-018), Development Plan (File No. PDEV19-059), Development Plan in conjunction with a Conditional Use Permit (File Nos. PDEV20-012 and PCUP20-009, respectively), and Development Plan (File No. PDEV20-013), as described in the Description of this Decision (herein after referred to as “Application” or “Project”).

(1) **Project Setting:** The Project site is comprised of approximately 41 acres of land located at northwest corner of Riverside Drive and Milliken Avenue. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Vacant/ Winery/ Restaurant/ Vineyard	Mixed-Use	LDR-5, Community Commercial & Tuscana Village Specific Plan	Residential & Commercial
North:	SR – 60 Pomona Freeway/ Caltrans Right-of-Way			
South:	Vacant	General Commercial	Edenglen Specific Plan	Community Commercial
East:	City of Eastvale Business Park	Business Park	Industrial Park	
West:	Nursery/SCE Easement	OS-NR (Open Space – Non-Recreation)	Utilities Corridor	

(2) **Project Description:** The Project applications analyzed under the Addendum to The Ontario Plan Environmental Impact Report (File No. PGPA06-001, State Clearinghouse No. 2008101140) (“Certified EIR”), consists of the following.

- A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use, to 7.6 acres of General Commercial and 33.75 acres of Industrial designated properties.
- A Specific Plan Amendment (File No. PSPA19-010) to rescind of the Tuscana Village Specific Plan.
- A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial) designated properties.
- A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels within the proposed CC (Community Commercial) and IL (Light Industrial) zoning districts.
- A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on approximately 13 acres of land within the proposed IL (Light Industrial) zoning district.
- A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and an ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license), on 1.27 acres of land located within the proposed CC (Community Commercial) zoning district.

- A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land within the proposed CC (Community Commercial) zoning district.

The Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an Initial Study/Addendum has been prepared to determine possible environmental impacts. Although the proposed project could have a significant effect on the environment, because all potentially significant effects have been analyzed adequately in an earlier Certified EIR, and have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed on the proposed project, nothing further is required. The Project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Environmental Impact Report, are a condition of project approval and are incorporated in the Initial Study/Addendum (see Attachment 1—Initial Study/Addendum, attached).

Part II—RECITALS

WHEREAS, The Ontario Plan Environmental Impact Report Environmental Impact Report (State Clearinghouse No. 2008101140) was certified by City Council on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario has prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as "EIR Addendum") in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the EIR Addendum concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an Addendum to the Certified EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Development Advisory Board (hereinafter referred to as "DAB") is the recommending authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, the DAB has reviewed and considered the EIR Addendum and related documents for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the EIR Addendum and related documents are on file in the City of Ontario Planning Department, located at 303 East B Street, Ontario, CA 91764, and are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, City of Ontario Development Code Table 2.02-1 (Review Matrix) grants the DAB the responsibility and authority to review and act, or make recommendation to the Planning Commission on the subject Application; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which the public notification of environmental actions shall be provided and hearing procedures to be followed, and all such notifications and procedures have been accomplished pursuant to Development Code requirements; and

WHEREAS, approval of this project is contingent upon City Council approving a General Plan Amendment (File No. PGPA19-007), repeal of the Tuscana Village Specific Plan (File No. PSPA19-010), a Zone Change (File No. PZC19-002) and an EIR Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) that was certified on January 27, 2010; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the hearing and adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the DAB, the DAB finds as follows:

(1) The environmental impacts of the Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), certified by the Ontario City Council on January 27, 2010 in conjunction with File No. PGPA06-001; and

(2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required.
Based on the EIR Addendum, all related information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Development Advisory Board Action.* The DAB does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby recommend the Planning Commission recommend approval to the City Council on the adoption of the EIR Addendum to the Certified EIR, included as Attachment 1 of this Decision.

SECTION 4: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: *Custodian of Records.* The EIR Addendum and all other documents and materials that constitute the record of proceedings on which these findings have been based, are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Attachment A—Addendum to The Ontario Plan Environmental Impact Report

(EIR Addendum follows this page)

The Vine

2020 Addendum to The Ontario Plan Certified EIR (SCH No. 2008101140)

Prepared for:
City of Ontario
303 East "B" Street
Ontario, CA 91764

October 2020

2020 Addendum
to
The Ontario Plan Certified EIR
(SCH No. 2008101140)

Prepared for:

City of Ontario
303 East "B" Street
Ontario, CA 91764

Prepared By:

Applied Planning, Inc.
11762 De Palma Road, 1-C 310
Corona, CA 92883

October 2020

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ATTACHMENTS

Attachment A: Air Quality, GHG, and Health Risk Assessment

Attachment B: Biological Reports

Attachment C: Hydrology Report

Attachment D: Noise Impact Assessment Memorandum

Attachment E: Trip Generation Analysis

1.0 INTRODUCTION

1.0 INTRODUCTION

1.1 ADDENDUM PROJECT OVERVIEW

This Addendum compares and analyzes the impacts associated with an amendment to the Ontario Policy Plan and a zone change to permit industrial and commercial uses on approximately 45 acres that currently have a General Plan land use designation of Mixed Use and Open Space Non-Recreation. The site is zoned Specific Plan, Low Density Residential (LDR-5), Community Commercial, and Open Space Recreation.

The Addendum Project site is located at the northwest corner of Milliken Avenue and Riverside Drive in the City of Ontario. The location of the site is illustrated at Figure 1.1-1, *Addendum Project Location*.

To the extent possible, this document addresses impacts associated with the development of the entire 45 acres; however, development plans have only been finalized for the southern 20 acres (referred to herein as The Vine Project). For clarity purposes, all references in this document to the Addendum Project refer to the entire 45-acre Project site. Alternatively, any reference to The Vine Project refers only to the southern 20 acres of the Addendum Project site.¹

¹ It is noted that, with the exception of the Hydrology Study and WQMP, all technical analyses referenced in this Addendum reflect buildout of the entire Addendum site, regardless of title. Additionally, the technical analyses may refer to the site by a previous name (Toscana Square); Regardless, the results of the analyses remain unchanged.



NOT TO SCALE

Source: Google Earth, Applied Planning, Inc.

Figure 1.1-1
Addendum Project Location

For analysis purposes, the Addendum Project considered herein is assumed to include approximately 697,150 square feet of light industrial uses; and up to approximately 26,700 square feet of commercial/retail/restaurant uses within the approximately 45-acre Project site. Of this total, The Vine Project proposes the development of up to 295,991 square feet of industrial uses and up to 16,543 square feet of commercial uses. The Addendum Project would result in an Industrial Floor Area Ratio (FAR) of 0.47, and a Commercial FAR of 0.08.²

1.2 ADDENDUM PURPOSE AND SUMMARY

The focus and purpose of this document is to determine if the Addendum Project described herein would result in new or substantially different environmental impacts than those considered and addressed in The Ontario Plan EIR (Certified EIR). To these ends, this Addendum defines, describes, compares, and contrasts potential environmental impacts of the Addendum Project in the context of the environmental impacts assessed in the Certified EIR.

In so doing, this Addendum substantiates consistency with applicable California Environmental Quality Act (CEQA) Guidelines provisions addressing preparation of an Addendum to a previously Certified EIR.

In these regards, as presented at *CEQA Guidelines* Section 15164, an Addendum to a Certified EIR may be prepared if only minor technical changes or additions are necessary and none of the conditions described in Section 15162, calling for the preparation of a subsequent or supplemental EIR, have occurred. Further, Public Resources Code Section 21166 prohibits preparation of a subsequent or supplemental EIR for a certified project

² Certain of the supporting technical studies appended to this Addendum were prepared early in the development concept process and have evaluated a larger development area and/or larger building footprints than are currently proposed. In these instances, the supporting technical studies have overestimated rather than underestimated potential environmental impacts of the Addendum Project. Within this Addendum, likely maximum impacts are evaluated for all environmental topics. At the discretion of the City, uses differing from those evaluated here, and that could result in substantially different impacts than the uses evaluated herein would be subject to additional CEQA environmental analysis. Ultimate scope and configuration of the Addendum Project uses would be as approved by the City.

unless substantial project changes are proposed requiring major revisions to the Certified EIR; a substantial change in circumstances has occurred requiring major revisions to the Certified EIR; or new information becomes available requiring major revisions to the Certified EIR. None of these conditions apply to the Addendum Project.

Based upon the information provided herein, the Addendum Project would not result in any new significant impacts, nor a substantial increase in the severity of any previously-identified environmental impact considered in the Certified EIR. Therefore, an Addendum to the Certified EIR is the appropriate document that will comply with CEQA requirements for the Project.

1.3 DOCUMENT ORGANIZATION

This Addendum is presented in five sections, as follows:

- **Section 1.0, *Introduction***, provides an overview of the Addendum Project, its context, and environmental documentation applicable to the proposed development.
- **Section 2.0, *Project Description***, presents the Addendum Project in greater detail.
- **Section 3.0, *Environmental Checklist***, presents the analysis of potential environmental impacts of the Addendum Project. The analysis considers potential effects of the Addendum Project relative to those addressed in the Certified EIR.
- **Section 4.0, *Determination***, presents the determination regarding the appropriate environmental document for the Addendum Project.
- **Section 5.0, *Mitigation Summary***, contains a table summarizing mitigation from the Certified EIR, and presents any newly required mitigation or modified mitigation.

1.4 CONCLUSION

This Addendum substantiates that implementation and operation of the Addendum Project land uses described and evaluated herein would not result in any significant new, different, additional, or substantially increased environmental impacts than were previously considered and addressed in the Certified EIR.

The environmental assessment of the Addendum Project does not require any major revision of the Certified EIR, nor would the Addendum Project result in conditions that would require preparation of a Subsequent or Supplemental EIR.

2.0 PROJECT DESCRIPTION

2.0 PROJECT DESCRIPTION

2.1 INTRODUCTION

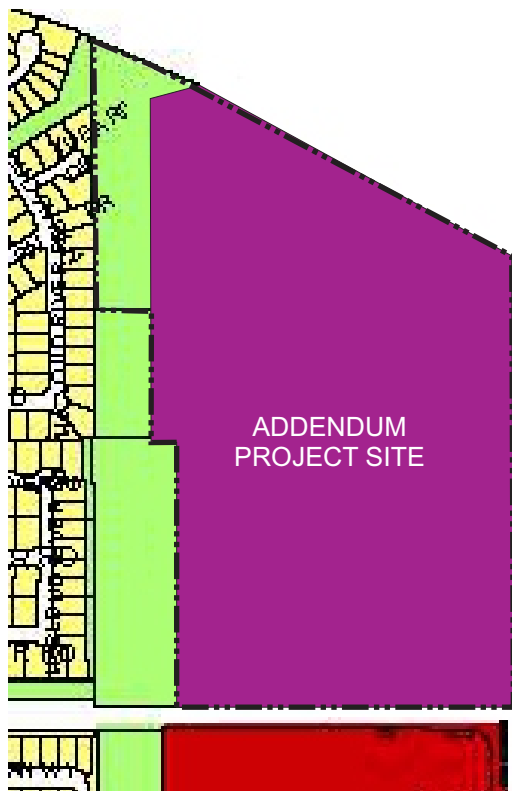
As previously mentioned, this document addresses impacts associated with the development of the entire 45-acre Addendum site to the extent possible; however, development plans have only been finalized for the southern 20 acres (The Vine Project).

The Addendum Project considered herein would implement up to approximately 697,150 square feet of light industrial uses; and up to approximately 26,700 square feet of commercial/retail/restaurant uses. Of this total, The Vine Project proposes the development of up to 295,991 square feet of industrial uses and up to 16,543 square feet of commercial uses.

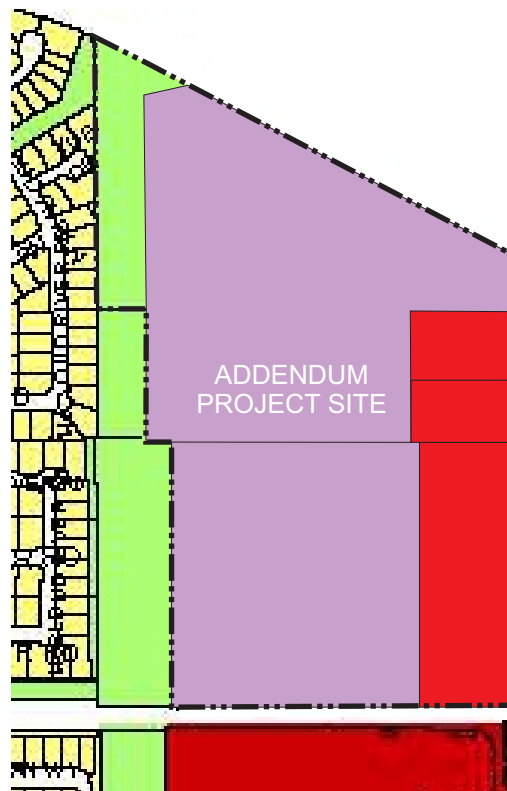
Within this Addendum, likely maximum impacts are evaluated for all environmental topics. At the discretion of the City, uses differing from those evaluated here, and that could result in substantially different impacts than the uses evaluated herein would be subject to additional CEQA environmental analysis. Ultimate scope and configuration of the Addendum Project uses would be as approved by the City.

2.2 EXISTING AND PROPOSED LAND USE DESIGNATIONS

Existing and proposed land use designations are described below. Please refer also to Figures 2.2-1 and 2.2-2.



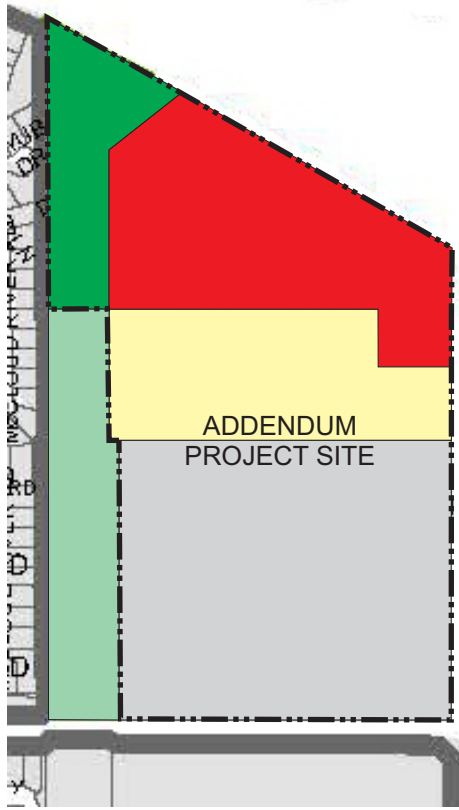
Existing General Plan Land Use Designations



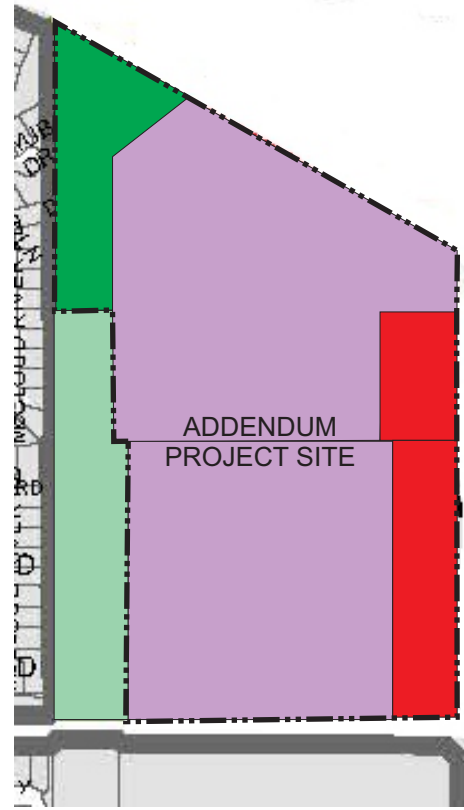
Proposed General Plan Land Use Designations












NOT TO SCALE
Source: City of Ontario; Applied Planning, Inc.



Existing Zoning Designations



Proposed Zoning Designations

- | | | | |
|---|--------------------------------|--|-----------------------------|
|  | Specific Plan |  | IL, Light Industrial |
|  | LDR-5, Low Density Residential |  | CC, Community Commercial |
|  | CC, Community Commercial |  | OS-R, Open Space Recreation |
|  | OS-R, Open Space Recreation | | |
|  | UC, Utilities Corridor | | |
|  | Addendum Project Boundary | | |



NOT TO SCALE
Source: City of Ontario; Applied Planning, Inc.

Addendum Project Site

The existing Policy Plan (General Plan) Land Use and Zoning designations of the site would be amended to allow for the development of land uses proposed under the Addendum Project. Tables 2.2-1 and 2.2-2 detail the amended designations.

Table 2.2-1
Existing and Proposed Land Use Designations

Parcel	Existing TOP Land Use Designation	Existing Acreage	Proposed TOP Land Use Designation	Proposed Acreage
1083-361-01	Mixed Use	20.0	Industrial General Commercial	15.0 5.0
1083-361-04	Mixed Use	9.4	Industrial General Commercial	6.8 2.6
1083-361-07	Mixed Use Open Space Non-Recreation	11.95 3.75	Industrial Open Space Non-Recreation	11.95 3.75
Total				45.1

Table 2.2-2
Existing and Proposed Zoning Designations

Parcel	Existing Zoning Designation	Existing Acreage	Proposed Zoning Designation	Proposed Acreage
1083-361-01	Specific Plan	20.0	IL, Light Industrial CC, Community Commercial	15.0 5.0
1083-361-04	LDR-5, Low Density Residential CC, Community Commercial	8.1 1.3	IL, Light Industrial CC, Community Commercial	6.8 2.6
1083-361-07	CC, Community Commercial OS-R, Open Space Recreation	11.95 3.75	IL, Light Industrial OS-R, Open Space Recreation	11.95 3.75
Total				45.1

Table 2.2-3 presents a comparison between the maximum allowable FAR assumed within the General Plan and what is being proposed by the Addendum Project.

Table 2.2-3
Comparison of Assumed and Proposed FAR

Land Use	General Plan Assumption (Maximum Allowable)	Proposed Addendum Project
Industrial	n/a	0.47 FAR - 697,150 square feet
Commercial	0.25 FAR - 254,499 square feet	0.08 FAR - 26,700 square feet
Office	1.5 FAR - 669,735 square feet	n/a
Residential	25 du/ac - 185 units total	n/a
Total	924,234 square feet	723,850 square feet

Surrounding Properties

Policy Plan Land Use and Zoning designations of surrounding properties are summarized below. The Addendum Project would not affect Land Use and Zoning designations of these properties.

North

SR-60 (Pomona) freeway/Caltrans Right-of-Way

South

Policy Plan Land Use Designation: General Commercial
Zoning: Specific Plan

East

City of Eastvale General Plan: Business Park
City of Eastvale Zoning: C-P-S - Scenic Highway Commercial (southerly adjacent to SR-60); I-P - Industrial Park (northerly of East Riverside Drive)

West

Policy Plan Land Use Designation: Open Space - Non Recreation
Zoning: "UC" (Utilities Corridor)

2.3 EXISTING LAND USES

Existing land uses are described below, and are illustrated at Figure 2.3-1.

Project Site

A wine shop and tasting room, restaurant, church, and small animal farm, are located adjacent to Milliken Avenue. The remainder of the site is either planted with grapevines or vacant.

Surrounding Properties

Existing land uses of surrounding properties are summarized below. The Addendum Project would not affect surrounding property land uses.



NOT TO SCALE

Source: Google Earth, Applied Planning, Inc.

----- Addendum Project Boundary

North

SR-60 (Pomona) freeway/Caltrans Right-of-Way.

South

Southerly of the Project site, across East Riverside Drive, properties are currently vacant and undeveloped but are approved for Specific Plan Community Commercial uses (Edenglen Specific Plan).

East

Easterly of the Addendum site, across Milliken Avenue, properties are within the City of Eastvale and developed with light industrial uses; adjacent to the northerly portions of the Project site are vacant and undeveloped City of Eastvale properties.

West

An existing SCE easement defines the westerly Project boundary. A non-operational commercial nursery is located within the SCE easement adjacent to the southern 20 acres of the Project site. Single family homes (Creekside) are located westerly of the SCE easement.

2.4 LAND USE CONCEPT

The Addendum Project considered herein would implement industrial, commercial/retail/restaurant, and open space uses on an approximately 45-acre site. The Land Use Concept locates commercial/retail/restaurant uses in the easterly portion of the Project site along the Milliken Avenue frontage. Proposed industrial uses would be located in the westerly portion of the site. The open space uses/SCE easement along the western property line would remain in place. This configuration optimizes recognition of the proposed commercial/retail/restaurant uses from adjacent Milliken Avenue, and acts to screen the proposed light industrial uses from public views.

As no development plans are currently proposed in the northern portion of the Addendum site, Figure 2.4-1 illustrates the Conceptual Land Use Plan for The Vine Project only.



NOT TO SCALE

Source: HPA Architecture, Google Earth, Applied Planning, Inc.

----- Addendum Project Boundary

2.4.1 Access and Circulation

Regional access to the Project site and surrounding areas is provided by State Route 60. Preliminary concepts indicate local access to the southerly portions of the Addendum Project would be provided via by two driveways on Milliken Avenue and an additional driveway on Riverside Drive. Proposed driveway access to the northerly portions of the Project site from adjacent Milliken Avenue is as-yet undefined.

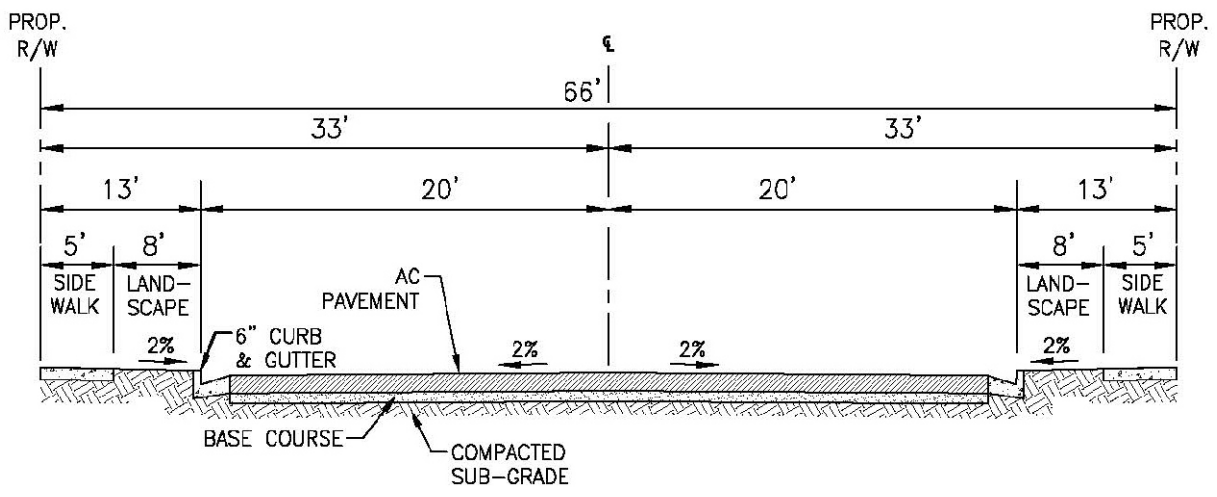
Access within the Project site would be provided by a new internal roadway, Street A. Street A will have a 66-foot right-of-way, including a 5-foot sidewalk and 8-foot landscaped parkway. Ultimate driveway locations, configurations, and internal circulation plans for the Addendum Project would conform to City requirements based on detailed site plans.

As part of The Vine Project, both Milliken Avenue and Riverside Drive would be improved adjacent to the site. Milliken Avenue is a designated 8-Lane Divided Arterial. Adjacent to the Project site, the western street section will be 71 feet of right-of-way, including a 7-foot (half) raised median, 51 feet of pavement, 5-foot sidewalk, and 8-foot landscaped parkway. Riverside Drive is a designated 6-Lane Standard Arterial. The northside street section for Riverside Drive, from the western Project limits to A Street, will be a 54-foot half section including a 4-foot (half) raised median, a 7-foot landscaped planter area, and a 5-foot sidewalk. East of A Street, the half section expands to a 64-foot half section. The additional 10 feet will be used to accommodate turn lanes at the easterly approach to the intersection of Riverside Drive and Milliken Avenue.

Cross Sections for Street A, Milliken Avenue, and Riverside Drive are presented as Figures 2.4-2 through 2.4-4. All roads, drive aisles, and access points implemented under the Project would conform to City engineering standards and City Fire Department requirements.

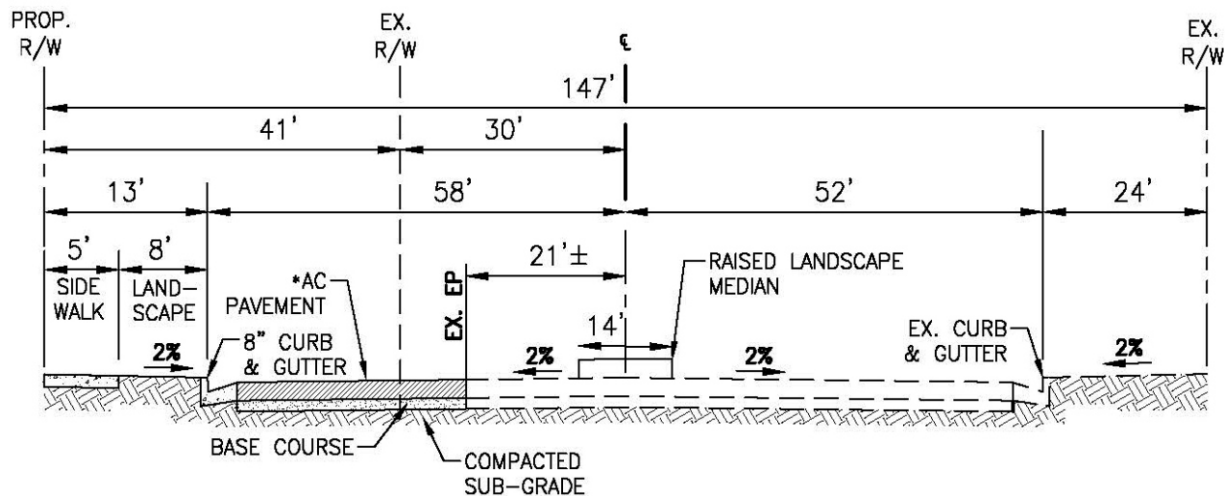
2.4.2 Parking

The Project will adhere to the parking requirements set forth by the City of Ontario Development Code. Parking assignments and design of parking areas within the site are subject to City review and approval.

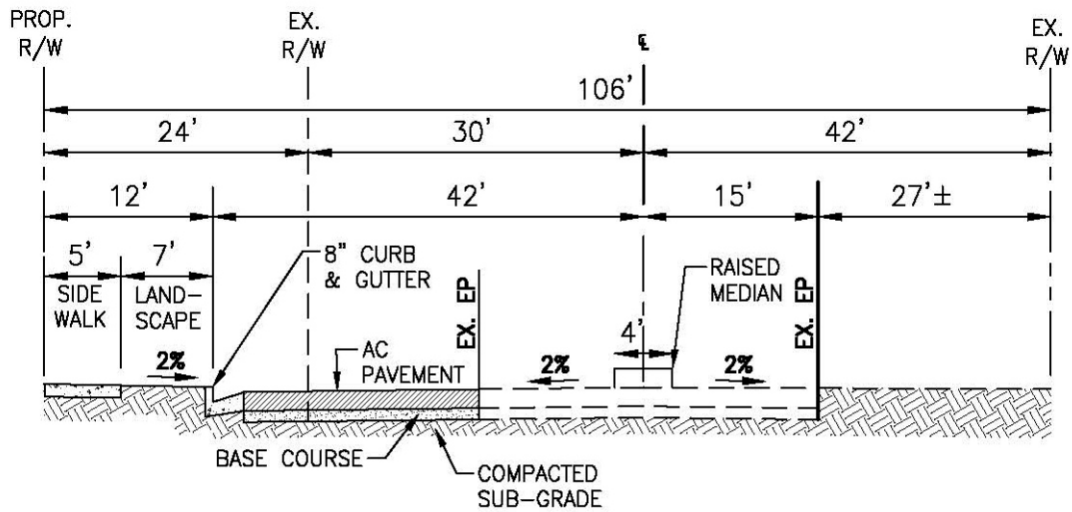


Source: Kimley-Horn and Associates, Inc.

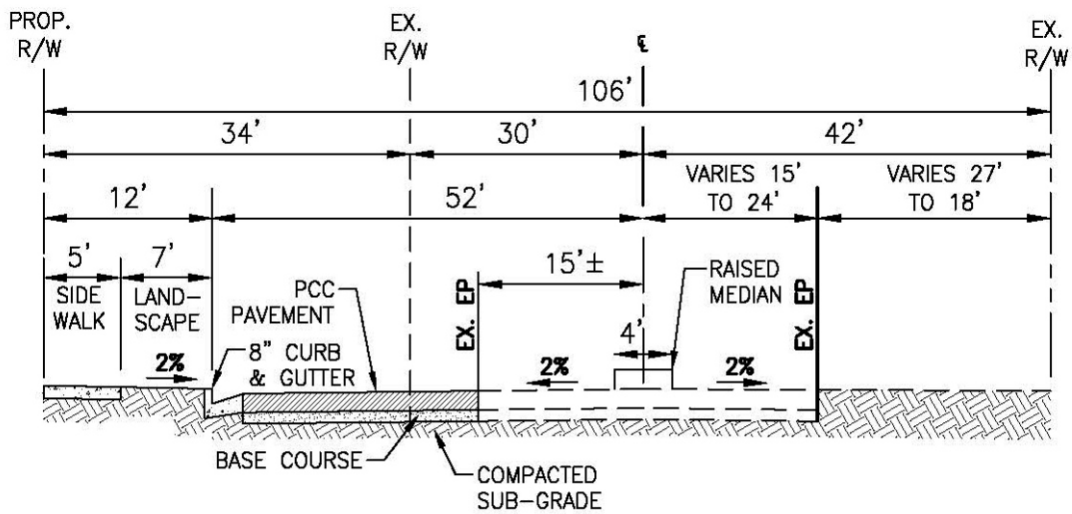
Figure 2.4-2
Proposed A Street Cross Section



Source: Kimley-Horn and Associates, Inc.



RIVERSIDE DRIVE
WESTERLY BOUNDARY TO STREET "A"
 (N.T.S.)



RIVERSIDE DRIVE
STREET "A" TO HAMNER AVE
 (N.T.S.)

Source: Kimley-Horn and Associates, Inc.

2.4.3 Landscape/Streetscape

All landscaping/streetscaping would comply with applicable provisions of the City Municipal Code. The implemented landscape/streetscape concept would act to enhance perception of the site as developed under the Project, and to screen views of the site interior from off-site vantages. Landscape and streetscape elements would provide shade and visual interest, define entry/access points, and accentuate site and architectural features.

2.4.4 Infrastructure/Utilities

The following discussions summarize the infrastructure/utility plans for the Addendum Project. Please also refer to Figure 2.4-5, *Utilities Plan*.

2.4.4.1 Water Services

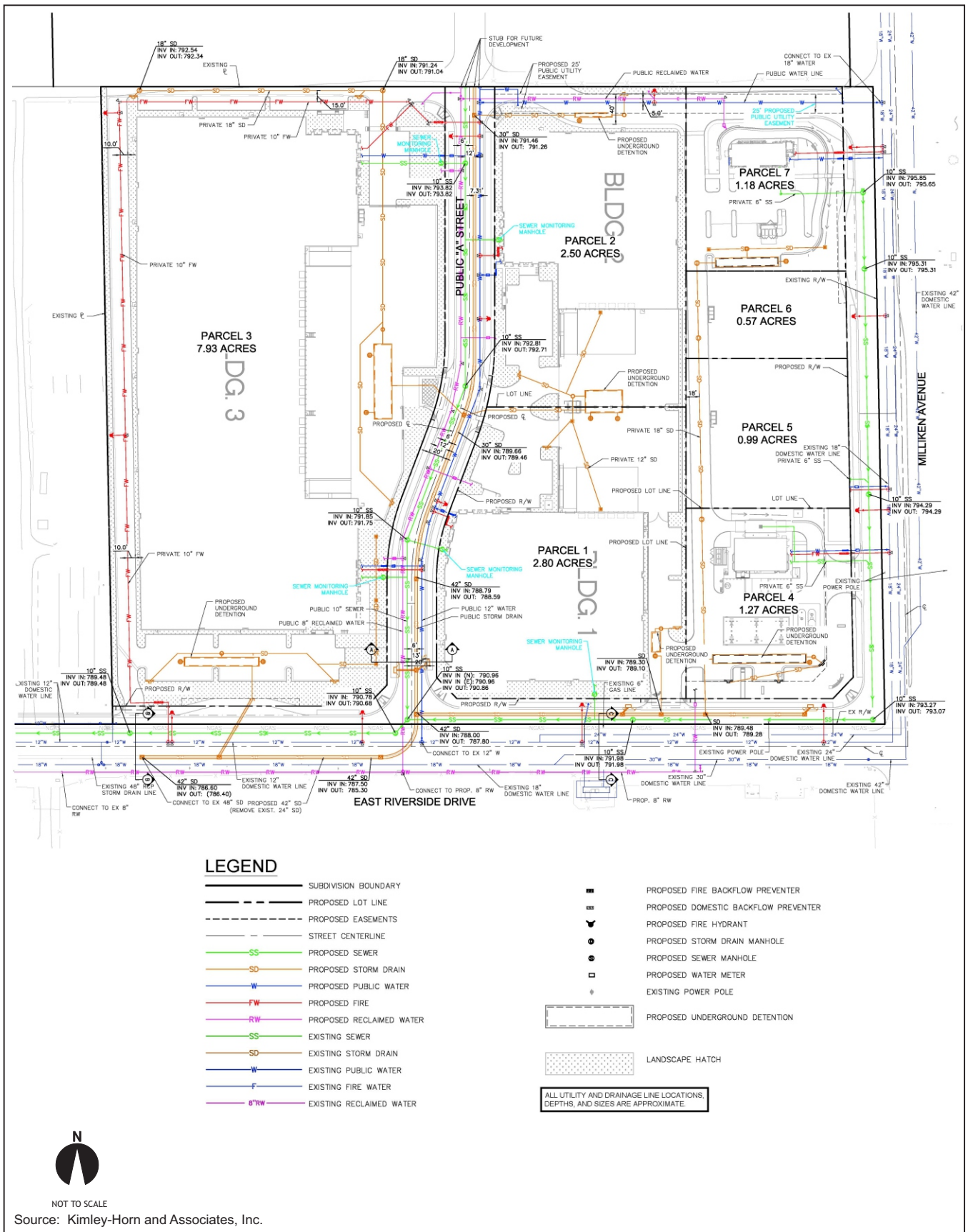
Domestic water will be provided by the City of Ontario. The Project site lies within the Phillips Street Pressure Zone, also known as the 1010' Zone. The Project will connect to existing 1010' Zone water lines in the immediate vicinity, including the existing 12-inch and 18-inch water lines located in Riverside Drive, and the 18-inch, 24-inch, and 42-inch lines currently located in Milliken Avenue.

Within the Project site, a 12-inch mainline will be installed within both A Street and B Street, and connect to existing water lines located within the surrounding roadways.

2.4.4.2 Recycled Water Services

An existing 8-inch recycled water line is located in Riverside Drive, located along the southern Project boundary. As part of the Project, an 8-inch line will be installed within both A Street and B Street. A stub will be constructed for future development to the north. All interior irrigation systems will feed off this line.

Recycled water will be supplied in the future by Inland Empire Utilities Agency (IEUA) from their facilities at Westwind Park. These lines will be charged with domestic water until such time as recycled water is available from IEUA.



2.4.4.3 Sewer Services

Sewer service will be provided by the City of Ontario consistent with the City's Sewer Master Plan. An existing 10-inch sewer line is located within Riverside Drive, coming from the west and currently terminating at the easterly edge of the SCE Easement. As part of the Project, this line will be extended easterly along Riverside Drive to Milliken Avenue. Additional lines will be installed in Milliken Avenue and A Street.

2.4.4.4 Stormwater Management System

Drainage from the Project area flows into the County Line Channel along Bellgrave Avenue, as shown in the City Master Plan of Drainage. Presently, there is an existing 48-inch storm drain in Riverside Drive extending to the westerly edge of the Project site that ultimately connects to the Channel. This line will be extended along Riverside Drive. A 42-inch line will be installed within A Street, and stubbed for future development to the north. Several storm drain laterals will be located throughout the Project site utilizing an underground storage system.

2.4.4.5 Solid Waste Management

The City of Ontario provides solid waste collection services for the City and will service the site.

2.4.4.6 Electricity

Southern California Edison will provide electricity to the site from existing facilities in the vicinity. Proposed new facilities will be owned and operated by Southern California Edison and located underground.

2.4.4.7 Natural Gas

The Gas Company will provide natural gas to the site. Gas mains will be installed to the site by the Gas Company as necessary.

2.4.4.8 Communications Services

Communications services, including wired and wireless telephone and internet services are available through numerous private providers and would be provided on an as-needed basis. To the extent practical and consistent with City Conditions of Approval, existing and proposed wires, conductors, conduits, raceways, and similar communications improvements within the Project area would be installed underground. Any necessary surface-mounted equipment, e.g., terminal boxes, transformers, meters, service cabinets, etc., would be screened and would conform to City building setback requirements.

2.4.5 Energy Efficiency/Sustainability

Energy-saving and sustainable design features and operational programs would be incorporated into all facilities developed pursuant to The Vine Project. The Project would be required to comply with incumbent energy efficiency and performance standards established under the CALGreen Code.

2.4.6 Construction Area Traffic Management Plan

Temporary and short-term traffic detours and traffic disruptions could result during construction activities including implementation of access and circulation improvements noted above. Accordingly, the Applicant would be responsible for the preparation and submittal of a Construction Area Traffic Management Plan (Plan). Typical elements and information incorporated in the Plan would include, but not be limited to:

- **Name of on-site construction superintendent and contact phone number.**
- **Identification of Construction Contract Responsibilities** - For example, for excavation and grading activities, describe the approximate depth of excavation, and quantity of soil import/export (if any).
- **Identification and Description of Truck Routes** - to include the number of trucks and their staging location(s) (if any).
- **Identification and Description of Material Storage Locations (if any).**

- **Location and Description of Construction Trailer (if any).**
- **Identification and Description of Traffic Controls** - Traffic controls shall be provided per the Manual of Uniform Traffic Control Devices (MUTCD) if the occupation or closure of any traffic lanes, parking lanes, parkways or any other public right-of-way is required. If the right-of-way occupation requires configurations or controls not identified in the MUTCD, a separate traffic control plan must be submitted to the City for review and approval. All right-of-way encroachments would require permitting through the City.
- **Identification and Description of Parking** - Estimate the number of workers and identify parking areas for their vehicles.
- **Identification and Description of Maintenance Measures** - Identify and describe measures taken to ensure that the work site and public right-of-way would be maintained (including dust control).

The Plan would be reviewed and approved by the City prior to the issuance of the first building permit. The Plan and its requirements would also be required to be provided to all contractors as one component of building plan/contract document packages.

2.4.7 Opening Year

For the purposes of this analysis, the Project Opening Year is defined as mid-2021, by which time all proposed uses are assumed to be complete, occupied, and operational.

2.5 PROJECT OBJECTIVES

The primary goal of the Addendum Project is the development of the subject site with a productive mix of industrial and commercial uses. Complementary objectives include the following:

- Create an integrated development that provides a range of employment opportunities for residents in surrounding areas.

- Create a planned development wherein commercial uses would benefit from the site's freeway visibility.
- Locate commercial shopping and service uses proximate to underserved residential uses.
- Provide an industrial park supporting varied warehouse distribution and industrial tenants.
- Provide safe and convenient access for trucks in a manner that minimizes any potential disruption to residential areas.
- Facilitate goods movement locally, regionally, nationally, and internationally.
- Establish new development that would further the City's near-term and long-range fiscal goals.

2.6 DISCRETIONARY APPROVALS and PERMITS

Discretionary actions, permits, and related consultation(s) necessary to approve and implement the Project include, but are not limited to, the following.

2.6.1 Lead Agency Discretionary Actions and Permits

- CEQA Compliance;
- Adoption of this Addendum;
- Approval of a General Plan Amendment;
- Approval of a Specific Plan Amendment;
- Approval of a Zone Change;
- Approval of Tentative Parcel Maps; and
- Approval of Development Plans.

2.6.2 Other Consultation and Permits

Anticipated consultation and permits necessary to realize the Addendum Project would likely include, but are not limited to, the following:

- Permitting may be required by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit.

- Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented pursuant to the Addendum Project.
- Permitting (i.e., utility construction and connection permits) from affected utility purveyors.
- Other ministerial permits necessary to realize all on and offsite improvements related to the development of the site.

3.0 ENVIRONMENTAL CHECKLIST

ENVIRONMENTAL CHECKLIST

2020 Addendum to The Ontario Plan Certified EIR (SCH No. 2008101140)

General Note: The CEQA Initial Study Checklist categories and topics presented below conform to the suggested content presented in the *2019 CEQA Guidelines*, Appendix G. In certain instances, the 2019 CEQA Initial Study Checklist content differs from that presented in the Certified EIR. Additional or new environmental topics considered in the 2019 CEQA Initial Study Checklist, and not reflected in the Certified EIR, are recognized in the discussions below. Other Certified EIR discussions have been restructured or paraphrased to align with the format and content of the 2019 CEQA Initial Study Checklist, with no substantial effect on environmental findings or conclusions.

1. AESTHETICS

Except as provided in Public Resources Code Section 21099, would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have a substantial adverse effect on a scenic vista?					X	
b) Substantially damage visible scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?					X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?					X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					X	

Substantiation:

a-d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR acknowledges that buildout of the City would affect the visual character of the City. However, the Certified EIR concludes that compliance with the City Municipal Code, as well as applicable policies presented within the Policy Plan, would ensure impacts in this regard would be less-than-significant. (Certified EIR pp. 5.1-7 – 5.1-17).

Certified EIR Mitigation Measures: None.

Addendum Project: Final designs of the Project facilities including, but not limited to, the proposed buildings, landscape/hardscape features, and lighting configurations would be required to conform to all applicable City design and development standards, and would be subject to City review and approval. Conformance with City design and development standards would ensure that the Addendum Project would not substantially degrade scenic vistas, scenic resources, and the existing visual character or quality of the area. No new or substantially increased aesthetic impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Addendum Project Design Concepts.

2. AGRICULTURE AND FORESTRY RESOURCES

<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</p>	<p>Substantial Change in Project Requiring Major MND Revisions</p>	<p>Substantial Change in Circumstances Requiring Major MND Revisions</p>	<p>New Information Showing Greater Significant Effects than Previous MND</p>	<p>New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND</p>	<p>No Changes or New Information Requiring Preparation of an MND or EIR or EIR</p>	<p>No Impact</p>
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>					<p>X</p>	
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>					<p>X</p>	
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>					<p>X</p>	
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>					<p>X</p>	
<p>e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, or conversion of forest land to non-forest use?</p>					<p>X</p>	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR notes that implementation of The Ontario Plan would potentially convert all of the City's Important Farmland to non-farmland uses, and have significant and unavoidable impacts in this regard. (Certified EIR pp. 5.2-9 – 5.2-10).

Certified EIR Mitigation Measures: The Certified EIR examined several alternatives designed to result in increased preservation of agricultural land, including the retention of on-site agricultural uses, the replacement of agricultural resources off-site, the relocation of Prime Farmland topsoil, the establishment of conservation easements or preserves, and the transfer of development rights. However, no feasible alternatives or mitigation measures were identified to minimize this significant impact.

Addendum Project: No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is located within the Addendum site. Implementation of the Addendum Project would not result in impacts to agricultural lands beyond those previously addressed by the Certified EIR. On this basis, the Addendum Project's conversion of Prime Farmland to non-agricultural use is considered less-than-significant. No changed or new information has been identified to indicate that any potential Farmland impacts resulting from the Addendum Project would be different from those previously determined.

Addendum Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR noted that implementation of The Ontario Plan would affect all active Williamson Act contracts within the City, and concluded that impacts to these resources would be significant and unavoidable. (Certified EIR p. 5.2-10).

Certified EIR Mitigation Measures: The Certified EIR identified no feasible alternatives or mitigation measures to minimize this significant impact.

Addendum Project: No Williamson Act contracts are in place for the subject site. The Addendum Project will therefore not conflict with any existing agricultural zoning designations, nor affect any existing Williamson Act contract(s).

Addendum Project Mitigation Measures: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This environmental topical concern has been added to the *CEQA Guidelines Appendix G, Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Addendum Project: The Addendum Project site is not zoned for forest land, timberland, or timberland zoned Timberland Production. The Project would therefore have no impact on forest land or timberland.

Addendum Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Similar to Checklist Item c, above, this question has been added to the *CEQA Guidelines Appendix G, Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Addendum Project: No forest land is located on the Addendum Project site or in the vicinity. The Addendum Project would therefore have no impact on forest land.

Addendum Project Mitigation Measures: None.

e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Similar to Checklist Items c and d, above, this question has been added to the *CEQA Guidelines Appendix G, Environmental Checklist Form* since the adoption of the Certified EIR and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Addendum Project: The Addendum Project does not require or propose other changes to the environment which could result in the conversion of farm land or forest land to other uses. The Addendum Project would therefore have no impact on the existing environment that could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Addendum Project Design Concepts.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?					X	

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?					X	
c) Expose sensitive receptors to substantial pollutant concentrations?					X	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?					X	

Substantiation:

Information regarding the Addendum Project presented below is summarized in part from the Project Air Quality/Greenhouse Gas Assessment (AQ/GHG Analysis)¹ which is presented at Attachment A of this Addendum.

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that The Ontario Plan would be inconsistent with the AQMP because air pollutant emissions associated with buildout of the City would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SCAB). Furthermore, buildout of the City consistent with The Ontario Plan would exceed current estimates of population, employment, and VMT for Ontario and therefore these emissions are not included in the current regional emissions inventory for the SCAB. For these reasons, the Certified EIR concluded that The Ontario Plan would result in significant impacts in this regard.

Certified EIR Mitigation Measures: The Certified EIR determined that, while the Goals and Policies included in the Policy Plan would facilitate continued City cooperation with

¹ *The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) October 5, 2020.

the South Coast Air Quality Management District (SCAQMD) and Southern California Association of Governments (SCAG) to achieve regional air quality improvement goals, no mitigation measures are available that would reduce impacts associated with consistency with the Air Quality Management Plan (AQMP).

Addendum Project: Although the Addendum Project would amend the site's current land use designations, the Addendum Project would not substantively increase or otherwise alter the development intensities beyond that currently anticipated for the subject site under the Policy Plan. Moreover, the Addendum Project uses would result in fewer emissions than would result from development of the subject site pursuant to the Policy Plan. On this basis, when compared to the Certified EIR findings, no new or substantially increased AQMP consistency impacts would occur under the Addendum Project.

Addendum Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout of The Ontario Plan may generate short-term and long-term emissions that exceed South Coast Air Quality Management District's regional significance thresholds for VOC, CO, NO_x, PM₁₀, and PM_{2.5} and cumulatively contribute to the SCAB nonattainment designations for O₃, PM₁₀ and PM_{2.5}. Even with the implementation of mitigation measures, impacts were considered significant and unavoidable.

Certified EIR Mitigation Measures:

3-1 *The City of Ontario Building Department shall require that all new construction projects incorporate all feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:*

- *Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:*

- *Requiring use of nontoxic soil stabilizers to reduce wind erosion.*
- *Applying water every four hours to active soil-disturbing activities.*
- *Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.*
- *Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits.*
- *Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.*
- *Limiting nonessential idling of construction equipment to no more than five consecutive minutes.*
- *Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at:
http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.*

3-2 *The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).*

Addendum Project: The SCAQMD has developed regional significance thresholds for regulated pollutants, and indicates that any projects in the SCAB with daily emissions that exceed any of the indicated thresholds should be considered as having an individually and cumulatively significant air quality impact. The following discussions compare the regional significance thresholds with the emissions associated with the Addendum Project.

Construction Emissions

Construction activities associated with the Project would result in emissions of carbon monoxide (CO), Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOX), Sulfur Oxides (SOX), particulate matter ≤ 10 microns (PM₁₀), and particulate matter ≤ 2.5 microns (PM_{2.5}). Table 3-1 presents the emissions expected to be generated by construction of the Addendum Project.

Table 3-1
Regional Construction Emissions Summary

Phase	Emissions (lbs./day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
<i>Summer</i>						
2021	48.62	82.28	81.50	0.26	23.51	9.99
<i>Winter</i>						
2021	48.68	82.11	75.18	0.25	23.51	9.99
Maximum Daily Emissions	48.68	82.28	81.50	0.26	23.51	9.99
SCAQMD Regional Threshold	75	100	550	150	150	55
Threshold Exceeded?	NO	NO	NO	NO	NO	NO

Source: The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) October 5, 2020.

As shown above, emissions resulting from the Addendum Project construction would not exceed criteria pollutant thresholds established by the SCAQMD for emissions of any criteria pollutant.

Operational Emissions

Operational activities associated with the Project would result in emissions of CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Operational related emissions are expected from the following primary sources: area source emissions, energy source emissions, mobile source emissions, and on-site equipment emissions. Table 3-2 presents the emissions expected to be generated by operations of the Addendum Project.

Table 3-2
Operational Emissions Summary

Operational Activities	Emissions (lbs./day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
<i>Summer</i>						
Area Source	16.64	1.8E-03	0.20	1.00e-05	7.0e-04	7.0e-04
Energy Source	0.58	5.23	4.40	0.03	0.40	0.40
Mobile Source	16.85	60.72	157.60	0.45	42.46	11.73
On-Site Equipment	0.27	3.09	1.54	6.34E-03	0.10	0.10
Maximum Daily Emissions	34.34	69.05	163.74	0.49	42.96	12.23
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO
<i>Winter</i>						
Area Source	16.64	1.8E-03	0.20	1.00e-05	7.0e-04	7.0e-04
Energy Source	0.58	5.23	4.40	0.03	0.40	0.40
Mobile Source	15.53	62.66	137.08	0.42	42.45	11.73
On-Site Equipment	0.27	3.09	1.54	6.34E-03	0.10	0.10
Maximum Daily Emissions	33.02	70.98	143.22	0.46	42.95	12.22
SCAQMD Regional Threshold	55	55	550	150	150	55
Threshold Exceeded?	NO	YES	NO	NO	NO	NO

Source: *The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) October 5, 2020.

As shown above, Addendum Project operational emissions would exceed the SCAQMD regional thresholds of significance for emissions of NO_x.

Table 3-3 compares peak operational-source criteria pollutant emissions assumed within the Certified EIR with peak operational-source criteria pollutant emissions generated by the Addendum Project.

Table 3-3
Operational Emissions Comparison

Operational Activities	Emissions (lbs./day)					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
<i>Summer</i>						
Addendum Project	34.34	69.05	163.74	0.49	42.96	12.23
Certified EIR	102.42	198.04	460.14	1.23	100.93	28.34
Variance	-68.08	-128.99	-296.40	-0.74	-57.97	-16.11
<i>Winter</i>						
Addendum Project	33.02	70.98	143.22	0.46	42.95	12.22
Certified EIR	97.34	203.84	412.16	1.15	100.92	28.34
Variance	-64.32	-132.86	-268.94	-0.69	-57.97	-16.12

Source: The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) October 5, 2020.

As indicated, emissions generated by the Addendum Project would generally result in a net decrease in peak operational-source criteria pollutant emissions when compared to peak operational-source criteria pollutant emissions assumed within the Certified EIR. NO_x exceedances that would occur under the Addendum Project are considered and addressed within the Certified EIR. As such, the Addendum Project would not result in new or substantively different or substantively increased operational-source air quality impacts.

Addendum Project Mitigation Measures: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that development pursuant to the Policy Plan would result in significant and unavoidable air quality impacts due to elevated concentrations of air pollutants at sensitive receptors. (Certified EIR, p. 5.3-26).

Certified EIR Mitigation Measures:

3-3 *The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). New development*

that is inconsistent with the recommended buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.

Addendum Project: The following discussions evaluate the potential for the Addendum Project to expose sensitive receptors to substantial pollutant concentrations.

Localized Emissions

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards (NAAQS/CAAQS). Collectively, these are referred to as Localized Significance Thresholds (LSTs). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or state ambient air quality standard at the sensitive receptor.

Receptor locations are off-site locations where individuals may be exposed to emissions from Project activities. Sensitive receptors in the study area include existing residential homes and an educational use, as described below. Refer also to Exhibit C of the AQ/GHG Analysis.

- R1: Located approximately 196 feet west of the Project site, R1 represents an existing residential home located at 3977 Yuba River Drive in the City of Ontario.
- R2: Location R2 represents the existing single-family residential home at 2913 McCloud River Lane located roughly 285 feet west of the Project site in the City of Ontario.
- R3: Located approximately 287 feet west of the Project site across the power transmission lines, R3 represents an existing residential home at 2965 McCloud River Lane in the City of Ontario.
- R4: Location R4 represents the Colony High School located approximately 1,731 feet south west of the Project site at 3850 E Riverside Drive.

R5: Located approximately 294 feet south of the Project site across E Riverside Drive, R5 represents an existing single-family residential home at 4097 E Auburn Way in the City of Ontario.

Tables 3-4 and 3-5 identify the localized construction and operational impacts at the nearest receptor location in the vicinity of the Addendum Project site.

**Table 3-4
Construction Localized Significance Summary**

Activity	Emissions (lbs./day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
<i>Demolition</i>				
Maximum Daily Emissions	31.44	21.57	2.25	1.55
SCAQMD Localized Threshold	118	863	20	7
Threshold Exceeded?	NO	NO	NO	NO
<i>Site Preparation</i>				
Maximum Daily Emissions	60.79	21.85	14.46	8.38
SCAQMD Localized Threshold	220	1,713	39	12
Threshold Exceeded?	NO	NO	NO	NO
<i>Grading</i>				
Maximum Daily Emissions	56.54	31.23	21.31	9.35
SCAQMD Localized Threshold	237	1,873	45	12
Threshold Exceeded?	NO	NO	NO	NO

Source: *The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) October 5, 2020.

**Table 3-5
Operational Localized Significance Summary**

	Emissions (lbs./day)			
	NO _x	CO	PM ₁₀	PM _{2.5}
Maximum Daily Emissions	11.45	12.99	2.62	1.09
SCAQMD Localized Threshold	270	2,193	14	3
Threshold Exceeded?	NO	NO	NO	NO

Source: *The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) October 5, 2020.

As shown above, emissions resulting from the Project construction and operation will not exceed the numerical thresholds of significance established by the SCAQMD for any criteria pollutant.

Health Risk Assessment

The AQ/GHG Analysis also evaluated the potential mobile-source health risk impacts to receptors (residents or workers) associated with the development of the Addendum Project. Health risk exposures were modeled in accordance with the guidelines in the SCAQMD's Health Risk Assessment Guidance for Analyzing Cancer Risks from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis.

The analysis evaluates potential health risk impacts that could result from exposure to Toxic Air Contaminants (TACs), including diesel particulate matter (DPM) generated by heavy-duty diesel trucks and from emissions of benzene, hexane, methyl tert-butyl ether, toluene, and xylene associated with gasoline dispensing from the Addendum Project.

At the maximally exposed individual receptor (MEIR), the maximum incremental cancer risk attributable to the Addendum Project is estimated at 1.43 in one million, which is less than the SCAQMD threshold of 10 in one million. At this same location, non-cancer risks were estimated to be 0.002, which would not exceed the applicable SCAQMD threshold of 1.0.

Based on the preceding, the Addendum Project would not expose sensitive receptors to substantial pollutant concentrations. No new or substantially increased impacts in this regard would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that development pursuant to The Policy Plan would result in significant and unavoidable temporary odor impacts

associated with transition of agricultural lands to nonagricultural uses. (Certified EIR, p. 5.3-28).

Certified Mitigation Measures: No feasible mitigation.

Addendum Project: The Addendum Project does not propose or require transition of agricultural lands to nonagricultural uses, nor is the subject site affected by proximate agricultural use odor sources. Further, construction-source and operational-source odor impacts that may result from the Addendum Project are controlled as a byproduct of hazardous/potentially hazardous materials handling plans and Best Management Practices implemented under SCAQMD Rule 402 et al. The Addendum Project would comply with all SCAQMD Rules regulating and controlling odors and odor sources. The Addendum Project would therefore not create objectionable odors affecting a substantial number of people. On this basis, when compared to the Certified EIR findings, no new or substantially increased odor impacts would occur under the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) October 5, 2020; Addendum Project Design Concepts.

4. BIOLOGICAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies and regulations; or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?					X	
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?					X	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?					X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					X	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?					X	

Substantiation:

- a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR notes that implementation of The Ontario Plan would not directly affect sensitive species since the General Plan does not confer entitlements for development. However, development in accordance with The Ontario Plan could impact sensitive species. Projects considered for approval under The Ontario Plan would be subject to independent CEQA review to determine whether there is potential habitat on-site for sensitive species. The Certified EIR did not identify any significant impacts in this regard. (Certified EIR, pp. 5.4-26 – 5.4-28).

Certified EIR Mitigation Measures: None.

Addendum Project: In order to assess the current conditions at the Addendum Project site, a biological report has been prepared.² The full report is presented as Attachment B to this Addendum. The following discussions summarize the findings of the Biological Report.

Special-Status Plant Species

No special-status plant species were observed on the Addendum Project site during the 2019 site surveys.

Special-Status Wildlife Species

Although no special-status wildlife species were observed at the site, a number of special-status wildlife species were identified as *potentially* occurring onsite, including some species with historic records from the site vicinity. Of primary concern for the site are the Delhi Sands Flower-Loving Fly (*Rhaphiomidas terminatus abdominalis*) and the Burrowing owl (*Athene cunicularia*), as discussed below.

² *Biological Report for the Toscana Square Project Site* (Harmsworth Associates) October 2019.

Delhi Sands Flower-Loving Fly

Delhi Sands Flower-Loving Fly (DSF) is restricted to the Delhi Sands formation, on ancient inland sand dunes. The entire Addendum Project site has been mapped by the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey as being composed of Delhi sand soils. Since Delhi sand soils are wind deposited (aeolian), the boundaries established by the USDA are not exact and change over time. Due to surrounding development, the Delhi sand soils on the Addendum site are no longer subject to aeolian processes.

To assess the suitability of the onsite soils to support DSF, a Habitat Suitability Assessment was conducted for the Addendum site.³ The site was evaluated for the quality or purity and for its potential to support DSF. Areas were assigned one or more ratings ranging between 1 and 5, with 5 being the best quality and most suitable habitat. Please refer also to Exhibit 5 of the Habitat Suitability Assessment, included as Attachment B to this Addendum.

The Habitat Suitability Assessment determined that there are Delhi sand soils within the vineyard located in the northern half of the Addendum site that are moderately contaminated from agricultural activities associated with vineyards. This area totals approximately 23 acres, and was rated as low quality to moderate quality with a habitat quality rating of 3/4. The Habitat Suitability Assessment concluded that this area is expected to have a low to moderate potential to support DSF. Further analysis and consultation with the USFWS and CFWS will be undertaken for this northern portion of the Addendum site as part future development plans, as no specific development is currently being proposed for this area. Consistent with Federal, State, and local requirements, the preparation of protocol surveys and consultation will need to occur prior to the issuance of any construction permits for this area.

Soils surrounding the existing buildings along the eastern boundary of the Addendum site were rated either as very low quality with a habitat quality rating of 2, or were rated as unsuitable with a habitat quality rating of 1 due to the lack of clean Delhi sand soils,

³ *Toscana Square Project Site, City of Ontario, San Bernardino County, California, Delhi Sands Flower-Loving Fly Habitat Suitability Assessment* (ELMT Consulting, Inc.) October 2019.

impervious surfaces, and loose gravel. The Habitat Suitability Assessment concluded that this area is unlikely to support a population of DSF.

The Vine portion (southern half) of the Addendum site contains Delhi sand soils that are no longer clean due to extensive contamination with organic material from disking and weed abatement activities. This area totals approximately 20 acres that was rated as very low quality to low quality with a habitat quality rating of 2/3. It is also noted that focused DSF presence/absence surveys were conducted for The Vine portion of the Addendum site for five (5) consecutive years from 2004 to 2008 with negative results. Given the above ratings of Delhi sand soils and negative focused survey results, the Habitat Suitability Assessment concluded that The Vine portion of the Addendum site is considered poor-quality habitat and is unlikely to support a population of DSF.

Burrowing owl

Burrowing owls occur in shortgrass prairies, grasslands, lowland scrub, agricultural lands (particularly rangelands), prairies, coastal dunes, desert floors, and some artificial, open areas as a yearlong resident. They require large open expanses of sparsely vegetated areas on gently rolling or level terrain with an abundance of active small mammal burrows. As a critical habitat feature, they require the use of rodent or other burrows for roosting and nesting cover. They can also use pipes, culverts, and nest boxes. No burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. No onsite burrows showed any evidence of owl occupancy. In addition, this species has not been recorded at the site in the past. Burrowing owls are presumed absent from the site.

Summary

Based on the preceding discussion, no special-status species have been observed at the Project site; however, common bird species are present. Impacts to nesting birds is prohibited by the Federal Migratory Bird Treaty Act of 1918 (MBTA), and is considered a potentially significant impact. With the implementation of the following mitigation, impacts to special-status species resulting from the Addendum Project would be less-than-significant. It is also noted that, as stated within the Certified EIR, projects located within the New Model Colony (such as the Addendum Project) are required to pay a

Mitigation Fee that would be used by the Greater Prado Basin Habitat Conservation Program to acquire, restore, enhance, maintain, or manage mitigation lands.

Addendum Project Mitigation Measures:

- 4-1 *Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Project Biologist). The Project Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Project Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Project Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*
- 4-2 *Avoidance of Nesting Burrowing Owls: No more than 72 hours prior to any site disturbances, focused surveys for the burrowing owl shall be conducted. If absence of this species is confirmed, project work can proceed. If, however, burrowing owl is located on site, the appropriate resource agencies (CDFW and USFWS) shall be contacted. The Project Applicant shall consult with the wildlife agencies regarding the most appropriate methods and timing for removal of owls. As necessary, owls will be actively evicted following agency approved protocols (i.e., placing a one-way door at the burrow entrance to ensure that owls cannot access the burrow once they leave). Any such active eviction shall occur outside of the breeding/nesting season. That is, active eviction shall be accomplished between September 1 and February 15. If more than 30 days has elapsed between owl eviction and completion of clearing and grubbing activities, a subsequent survey for the burrowing owl shall be conducted to ensure that owls have not re-populated the site. Any reoccupation by owls will require subsequent protocol active eviction.*

b, c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that implementation of The Ontario Plan would not result in direct impacts, however, projects approved pursuant to the General Plan could indirectly result in impacts to such resources. As such, individual projects undergoing environmental review under CEQA would be required to determine whether there is potential habitat onsite for sensitive species. The Certified EIR did not identify any significant impacts in this regard.

Certified EIR Mitigation Measures: None.

Addendum Project: Based on the findings of the Biological Report, no riparian habitat, sensitive natural communities, or federally protected wetlands exist within the subject site. Nor does the Addendum Project propose or require uses or facilities that would result in potentially significant impacts to offsite riparian habitat, sensitive natural community, or federally protected wetlands. The Addendum Project would not have a substantial adverse effect on any riparian habitat, sensitive natural community, or federally protected wetlands.

Addendum Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR states that no regional wildlife movement corridors have been identified in the City, and most of the City is ill-suited for the purposes of wildlife movement. Additionally, compliance with existing policies and regulations would ensure impacts in this regard are less-than-significant. (Certified EIR, p. 5.4-30).

Certified EIR Mitigation Measures: None.

Addendum Project: The Biological Report determined that no wildlife corridors or linkages are located onsite, and it is unlikely that the site is of any significance to wildlife

movement. Consistent with the conclusion of the Certified EIR, the Addendum Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.

Addendum Project Mitigation Measures: None.

e, f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR did not identify any conflicts with any local policies or ordinances protecting biological resources, adopted Habitat Conservation Plan, Natural Community Plan, or other approved local, regional, or state habitat conservation plan. (Certified EIR, pp. 5.4-30 – 5.4-31).

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Biological Report for the Toscana Square Project Site (Harmsworth Associates) October 2019; Addendum Project Design Concepts.*

5. CULTURAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?					X	

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?					X	
c) Disturb any human remains, including those interred outside of formal cemeteries?					X	

Substantiation:

- a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Historic resources in the City include historic districts, historic landmarks or points of historical interest, and other buildings, structures, objects, and sites that appear eligible for listing on the National, California, or Local Registers of Historic Places. The Certified EIR concluded that adoption of The Ontario Plan itself would not directly affect any historical structures; however, identified and potential historic structures and sites may be vulnerable as development occurs. The Certified EIR concluded this was a potentially significant impact. (Certified EIR, pp. 5.5-16 – 5.5-19).

Certified EIR Mitigation Measures:

5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City’s tier system prior to the issuance of development approvals in the Focus Areas.

Even with the implementation of Mitigation Measure 5-1, the Certified EIR concluded that impacts to historical resources would be significant and unavoidable.

Addendum Project: To assess the potential for historic resources, a Cultural Resources Assessment has been conducted for the Addendum site.⁴ During the field survey, a small remnant of a historic period vineyard was identified, comprising a historic-period residence, barn, stable, and several acres of grapevines.⁵ The Cultural Resources Assessment determined that the property is not recommended eligible for the California Register and does not qualify as a City Historic Landmark. The Assessment concluded that the property would not be considered a “historical resource” under CEQA, and does not warrant further consideration. As such, no new or substantially increased historical resources impacts would occur under the Addendum Project.

Addendum Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Adoption of The Ontario Plan in itself would not directly affect archaeological resources. However, long-term implementation of the proposed Land Use Plan could allow development and redevelopment of potentially sensitive areas. The Certified EIR concluded this was a potentially significant impact. (Certified EIR, p. 5.5-20).

Certified EIR Mitigation Measures:

5-2 *In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:*

⁴ *Cultural Resources Assessment, Toscana Square Project, City of Ontario, San Bernardino County, California* (BCR Consulting, LLC) December 1, 2019.

⁵ It is noted that the San Antonio Winery tasting room, located along Milliken Avenue, was not a part of the Addendum Project site at the time of the Assessment. The tasting room was constructed in 1972, and is not considered a historic resource. The Cultural Resources Assessment concluded that the San Antonio Winery tasting room did not warrant further consideration.

- a) *Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.*
- b) *Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director is satisfied that adequate provisions are in place to protect these resources.*
- c) *Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.*

- 5-3 *Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.*
- 5-4 *Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.*

With the implementation of Mitigation Measures 5-2 through 5-4, the Certified EIR concluded that impacts to archaeological and/or paleontological resources would be less-than-significant.

Addendum Project: No archaeological resources were identified within the Addendum site. The Cultural Resources Assessment determined that historic period and modern disturbances related to development have disturbed sediments beyond depths at which buried archaeological resources are likely. The Assessment concluded that no additional cultural resources work or monitoring is necessary for the Addendum site.

Potential impacts to tribal cultural resources are discussed subsequently, at Checklist Item 18, *Tribal Cultural Resources*.

Addendum Project Mitigation Measures: None.

c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that compliance with existing regulations would ensure that the potential for The Ontario Plan to disturb any human remains, including those interred outside of formal cemeteries was less-than-significant. (Certified EIR, p. 5.5-21).

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project would be required to comply with all existing regulations, including the California Public Resources Code Section 5097.98, which would afford protection for any human remains discovered during development activities. No significant impacts would occur.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; *Cultural Resources Assessment, Toscana*

Square Project, City of Ontario, San Bernardino County, California (BCR Consulting, LLC)
 December 1, 2019; Addendum Project Design Concepts.

6. ENERGY

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?					X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?					X	

Substantiation:

a – b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This environmental topical concern has been added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form since the adoption of the Certified EIR, and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Addendum Project: The Addendum Project in total would be required to comply with incumbent performance standards established under the Building Energy Efficiency Standards contained in the California Code of Regulations (CCR), Title 24, Part 6 (Title 24, Energy Efficiency Standards). The Addendum Project would be required to conform to applicable CALGreen provisions (CCR, Title 24, Part 11 – CALGreen). CALGreen was implemented in 2007 to support the goals of the State’s greenhouse gas reduction and building energy efficiency programs.

Additionally, developers and owners/tenants generally have vested financial incentives to avoid imprudent energy consumption practices. In this regard, there is growing recognition among developers and owners/tenants that energy-efficient and sustainable practices yield both environmental and economic benefits.

Based on the preceding, the Addendum Project would not result in or cause wasteful, inefficient, and unnecessary consumption of energy; and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. No new or substantially increased energy impacts would occur under the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

7. GEOLOGY AND SOILS

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:						
(i) rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42;					X	
(ii) strong seismic ground shaking;					X	
(iii) seismic-related ground failure, including liquefaction; or					X	

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
(iv) landslides?					X	
b) Result in substantial soil erosion or the loss of topsoil?					X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					X	
d) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial risks to life or property?					X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?						X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?					X	

Substantiation:

a - d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR recognizes existing geological conditions and location of the City within a seismically active area, but concludes that compliance with California Building Code (CBC) regulations and standard conditions of approval would preclude significant impacts in this regard. (Certified EIR, pp. 5.7-16 – 5.7-19).

Certified EIR Mitigation Measures: None.

Addendum Project: Underlying geology/soils conditions at the subject site and the surrounding area have not changed since the preparation of the Certified EIR. No active or potentially active faults are known to exist at the site. In addition, the subject site does not lie within an Alquist-Priolo Earthquake Fault Zone. According to Figure S-1, *Seismic Hazards* of The Ontario Plan, the site is not located in an area of geological concern.

As part of the City's standard review and approval of development projects, the Addendum Project would be required to comply with requirements of a final City-approved geotechnical report, and applicable provisions of the UBC and CBC. All final plans would be required to incorporate design- and site-appropriate means to avoid or minimize any geological concerns. The Addendum Project would therefore not result in new, additional, or different geological impacts than were considered and addressed in the Certified EIR.

Addendum Project Mitigation Measures: None.

e) *No Impact.*

Certified EIR Conclusions: According to the Certified EIR, wastewater from the City of Ontario is treated at wastewater treatment facilities owned and operated by the Inland Empire Utilities Agency (Regional Plant No. 1 in the City of Ontario and Regional Plant No. 5 in the City of Chino). The use of septic tanks would not occur in the City.

Certified EIR Mitigation Measures: None.

Addendum Project: As under the Certified EIR, the Addendum Project would connect to the City's sanitary sewer system. No septic tanks or other alternative wastewater disposal systems are proposed. On this basis, the Addendum Project would have no impacts relative to septic tanks or alternative waste water disposal systems.

Addendum Project Mitigation Measures: None.

f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Adoption of The Ontario Plan in itself would not directly affect paleontological resources. However, long-term implementation of the proposed Land Use Plan could allow development and redevelopment of potentially sensitive areas. The Certified EIR concluded this was a potentially significant impact. (Certified EIR, p. 5.5-20).

Certified EIR Mitigation Measures: Please refer to Mitigation Measures 5-2 through 5-4 (presented previously). With the implementation of these mitigation measures, the Certified EIR deemed impacts to paleontological resources would be less-than-significant.

Addendum Project: As discussed previously at Checklist Item 5, *Cultural Resources*, the Cultural Resources Assessment prepared for the Addendum Project determined that no cultural resources would be affected by the Addendum Project and no further work or monitoring in this regard would be required. The Addendum Project would therefore not result in new, additional, or different impacts than were considered and addressed in the Certified EIR.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Addendum Project Design Concepts.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?					X	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?					X	

Substantiation:

a,b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout of The Ontario Plan would contribute to global climate change through direct emissions of GHG from onsite area sources, offsite energy production required for onsite activities, and indirect emissions from water use and vehicle trips. As such, the potential for implementation of The Ontario Plan to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, or conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases was deemed significant and unavoidable, even with the implementation of the following mitigation measures. (Re-Circulated Portions of The Ontario Plan Draft Environmental Impact Report, p. 2-118).

Certified EIR Mitigation Measures:

6-1 *The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32*

and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:

- *Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on schedule to achieve the GHG reduction targets, additional measures shall be implemented, as identified in the CAP.*
 - *The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community.*
 - *The City shall define a “business as usual” scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario.*

- *Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City:*
 - *A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the “business as usual” municipal emissions (including any reductions required by the California Air Resource Board under AB 32.*
 - *A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to “business as usual” business emissions.*

- *A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions.*

6-2 *The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):*

- *Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria.*
- *Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency.*
- *Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris.*
- *Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling.*
- *Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate.*
- *Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City.*

- *Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City.*
- *Install energy efficient lighting and lighting control systems in all municipal buildings.*
- *Require all new traffic lights installed be energy efficient traffic signals. Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system.*
- *Require all new landscaping irrigation systems installed within the City to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization.*
- *Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions.*
- *Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.*
- *Reduce heat gain from pavement and other similar hardscaping.*
- *Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking.*

- *Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.*
- *Facilitate employment opportunities that minimize the need for private vehicle trips, by:*
 - *Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.*
- *Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.*
- *Establish policies and programs to reduce onsite parking demand and promote ridesharing and public transit at large events.*
- *Support and promote the use of low-and zero-emission vehicles, by:*
 - *Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.*
 - *Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).*
 - *Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.*
 - *Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.*

- *Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.*
- *Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA).*
- *Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.*
- *Support the use of green building practices by:*
 - *Providing information, marketing, training, and technical assistance about green building practices.*
 - *Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development.*
- *Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including:*
 - *Standards for the installation of "cool roofs".*
 - *Standards for improved overall efficiency of lighting systems.*
 - *Requirements for the use of Energy Star appliances and fixtures in discretionary new development.*

- *Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer.*
- *Establish policies and programs that facilitate the siting of new renewable energy generation.*
- *Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.*
- *Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:*
 - *Conducting energy audits.*
 - *Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.*
 - *Implementing an energy tracking and management system for its municipal facilities.*
 - *Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.*
 - *Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.*
 - *Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).*
 - *Installing Energy Star® appliances and energy-efficient vending machines.*

- *Improving water use efficiency, including a schedule to replace or retrofit system components with high-efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).*
- *Installing irrigation control systems which maximize water use efficiency and minimize off-peak use.*
- *Adopting an accelerated replacement schedule for energy inefficient systems and components.*
- *Insure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including:*
 - *Providing energy efficiency training to design, engineering, building operations, and maintenance staff.*
 - *Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use.*
 - *Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards.*
- *Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users.*
- *Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel-efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models.*
- *Require the installation of outdoor electrical outlets on buildings to support the use,*

where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.

- *Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.*
- *Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices.*
- *Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and will install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.*
- *Implement enhanced programs to divert solid waste from landfill operations, by:*
 - *Establishing a diversion target which meets or exceeds AB 939 requirements.*
 - *Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.*
- *Reduce per capita water consumption consistent with state law by 2020.*
- *Establish a water conservation plan that may include such policies and actions as:*
 - *Maintaining and refining the City's tiered rate structure for water use.*
 - *Establishing restrictions on time of use for landscape watering, or other demand management strategies.*

- *Establishing performance standards for irrigation equipment and water fixtures, consistent with state law.*
- *Establish programs and policies to increase the use of recycled water, including:*
 - *Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.*
- *Ensure that building standards and permit approval processes promote and support water conservation, by:*
 - *Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).*
 - *Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.*
- *Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling dropoff events and neighborhood chipping/mulching days.*
- *Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.*

6-3 *The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:*

- *Increase densities in urban core areas to support public transit, by, among other means:*
 - *Removing barriers to the development of accessory dwelling units in existing residential neighborhoods.*
- *Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation.*
- *Add bicycle facilities to city streets and public spaces, where feasible.*
- *Promote infill, mixed-use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones.*
- *Plan for and create incentives for mixed-use development.*
- *Identify sites suitable for mixed-use development and establish appropriate site-specific standards to accommodate mixed uses which could include:*
 - *Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so.*
 - *Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development.*
 - *Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.*
 - *Allowing for tandem parking, shared parking and off-site parking leases.*
- *Enable prototype mixed-use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling.*

- *Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses.*
- *Revise zoning ordinance(s) to allow local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use.*
- *Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.*
- *Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non-residential uses within a quarter mile of transit centers or corridors.*
- *Identify transit centers appropriate for mixed-use development, and promote transit oriented, mixed-use development within these targeted areas, by:*
 - *Providing maximum parking standards and flexible building height limitations.*
 - *Providing density bonus programs.*
 - *Establishing guidelines for private and public spaces for transit-oriented and mixed-use development.*
 - *Discouraging auto-oriented development.*
- *Ensure new development is designed to make public transit a viable choice for residents, including:*

- *Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes.*
- *Locating medium to high density development near streets served by public transit whenever feasible.*
- *Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths.*
- *Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.*
- *Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed-use and transit-oriented development areas, by:*
 - *Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking.*
 - *Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.*
 - *Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape.*
 - *Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic.*
 - *Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage nonmotorized travel.*

- *Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit-oriented development areas, by:*
 - *Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, thoroughfares.*
 - *Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures.*
 - *Locating schools in neighborhoods, within safe and easy walking distances of residences served.*
 - *Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear.*
 - *Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access.*
 - *Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway.*
 - *Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards.*
- *Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.*
- *Reduce heat gain from pavement and other similar hardscaping, by:*
 - *Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas.*

- *Establishing standards that provide for pervious pavement options.*
- *Removing obstacles to natural, drought tolerant landscaping and low-water landscaping.*
- *Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking, including, but not limited to:*
 - *Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.*
- *Upgrade and maintain the following transit system infrastructure to enhance public use, including:*
 - *Ensuring transit stops and bus lanes are safe, convenient, clean and efficient.*
 - *Ensuring transit stops have clearly marked street-level designation, and are accessible.*
 - *Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate.*
 - *Working with transit providers to place transit stations along transit corridors within mixed-use or transit-oriented development areas at intervals appropriate for the mode of transit.*
- *Facilitate employment opportunities that minimize the need for private vehicle trips, by:*
 - *Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.*

- *Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.*
- *Establish standards for new development and redevelopment projects to support bicycle use, including:*
 - *Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including:*
 - *Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible.*
 - *Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including:*
 - *Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances.*
- *Establish a network of multi-use trails to facilitate direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations.*
- *Establish policies and programs to reduce onsite parking demand and promote and public transit at large events.*
- *Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels.*
- *Support and promote the use of low-and zero-emission vehicles (NEV), by:*

- *Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.*
- *Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).*
- *Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.*
- *Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.*

- *Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.*
- *Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by ALUCP/FAA.*

- *Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.*

- *Support the use of green building practices by:*
 - *Establishing guidelines for green building practices in residential and commercial development.*

- *Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices.*

- *Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including:*
 - *Standards for the installation of "cool roofs".*

 - *Standards for improved overall efficiency of lighting systems.*

 - *Requirements for the use of Energy Star appliances and fixtures in discretionary new development.*

 - *Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy.*

- *Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible.*

- *Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas).*

- *Identify and remove or otherwise address barriers to renewable energy production, including:*
 - *Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers.*

- *Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies.*
- *Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air.*
- *Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values.*
- *Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate.*
- *Require that, where feasible, all new buildings be constructed to allow for easy, cost effective installation of solar energy systems in the future, using such “solar-ready” features as:*
 - *Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south-sloped roof surface, where such buildings architecture and construction are designed for sloped roofs.*
 - *Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof.*
 - *Roof framing that will support the addition of solar panels.*
 - *Installation of electrical conduit to accept solar electric system wiring.*
 - *Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank.*

- *Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.*
- *Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:*
 - *Conducting energy audits.*
 - *Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.*
 - *Implementing an energy tracking and management system for its municipal facilities.*
 - *Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.*
 - *Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.*
 - *Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).*
 - *Installing Energy Star® appliances and energy-efficient vending machines.*
 - *Improving water use efficiency, including a schedule to replace or retrofit system components with high-efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).*
 - *Installing irrigation control systems maximizing water use efficiency and minimizing off-peak use.*

- *Adopting an accelerated replacement schedule for energy inefficient systems and components.*
- *Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as:*
 - *The Energy Star® New Homes Program established by U.S. EPA.*
 - *The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating.*
- *Reduce per capita water consumption consistent with state law by 2020.*
- *Establish a water conservation plan that may include such policies and actions as:*
 - *Maintaining and refining the City's tiered rate structure for water use.*
 - *Establishing restrictions on time of use for landscape watering, or other demand management strategies.*
 - *Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law.*
- *The City will establish programs and policies to increase the use of recycled water, including:*
 - *Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.*
- *Ensure that building standards and permit approval processes promote and support water conservation, by:*

- *Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).*
- *Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.*
- *Install water-efficient landscapes and irrigation, including:*
 - *Requiring planting drought-tolerant and native species, and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite.*
 - *Requiring the installation of water-efficient irrigation systems and devices, including advanced technology such as moisture-sensing irrigation controls.*
- *Promote the planting of shade trees and establish shade tree guidelines and specifications, including:*
 - *Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.).*
 - *Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc.*
 - *Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun.*
- *Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including:*

- *Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low-VOC-producing trees, and emphasizing the use of drought-tolerant native trees and vegetation.*

6-4 *Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).*

6-5 *Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.*

6-6 *The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.*

Addendum Project: GHG emissions of the Addendum Project were modeled employing the latest version of the California Emissions Estimator Model™ (CalEEMod™ v2016.3.2), and are presented at Table 8-1.

Table 8-1
Addendum Project GHG Emissions

Emission Source	Emissions (MT/yr.)			
	CO ₂	CH ₄	N ₂ O	Total CO ₂ E
Annual construction-related emissions amortized over 30 years	49.40	0.01	0.00	49.54
Area Source	0.05	1.30e-04	0.00	0.05
Energy Source	3,033.56	0.10	0.04	3,046.87
Mobile Source	5,798.31	0.33	0.00	5,805.44
On-Site Equipment	101.68	0.03	0.00	102.50
Waste	181.17	10.71	0.00	448.84
Water Usage	733.12	5.35	0.13	905.91
Total CO₂E (All Sources)	10,359.16			

Source: The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum (Urban Crossroads, Inc.) October 5, 2020.

As shown at Table 8-1, the Addendum Project would generate a total of approximately 10,359.16 MTCO_{2e} per year. Table 8-2 compares these emissions with those identified within the Certified EIR.

Table 8-2
GHG Emissions Comparison

Emission Source	Annual Emissions (MTCO_{2e})
Addendum Project	10,359.16
Certified EIR	29,046.98
Variance	-18,687.82

Source: *The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) October 5, 2020.

As shown above, the Addendum Project would result in a net decrease in GHG emissions when compared to the GHG emissions assumed within the Certified EIR. The Addendum Project would therefore not result in new or substantively different or substantively increased GHG emissions impacts.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; *The Vine Air Quality, Greenhouse Gas & Health Risk Assessment Memorandum* (Urban Crossroads, Inc.) October 5, 2020; Addendum Project Design Concepts.

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					X	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?					X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?					X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?					X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?					X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?					X	

Substantiation:

a-c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that buildout in accordance with The Ontario Plan would involve the transport, use, and/or disposal of hazardous materials; however, these activities would be in compliance with federal, state, and local regulations thus precluding significant impacts in this regard. (Certified EIR, p. 5.8-24).

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project would not result in or cause exposure(s) to hazards or potentially hazardous conditions. That is, uses proposed under the Project are not considered hazardous.

During the normal course of construction and operation activities, there would be limited transport of potentially hazardous materials (e.g., gasoline, diesel fuel, paints, solvents, fertilizer, etc.) to and from the Addendum Project site. However, as presented within the Certified EIR, the Project would be required to comply with all City and County Hazardous Materials Management Plans and regulations addressing transport, use, storage and disposal of these materials. The Addendum Project does not propose or require uses or activities that would result in atypical transportation, use, storage, or disposal of hazardous or potentially hazardous materials not addressed under current regulations and policies.

Further, any occupancies that would store or use hazardous materials would be required to comply with California Hazardous Materials Business Plan (HMBP) requirements (*California Health & Safety Code, Division 20, Chapter 6.95*) The HMBP contains detailed information on the storage of hazardous materials at regulated facilities. The purpose of the HMBP is to prevent or minimize damage to public health, safety, and the environment, from a release or threatened release of a hazardous material. The HMBP also provides emergency response personnel with adequate information to help them better prepare and respond to chemical-related incidents at regulated facilities.

Based on the preceding, no new or substantially increased impacts in this regard would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Many properties within the City of Ontario are included on State and federal lists of registered hazardous materials sites. The Certified EIR concluded that compliance with federal, state, and local regulations would ensure these properties would not cause significant impacts. (Certified EIR, p. 5.8-25).

Certified EIR Mitigation Measures: None.

Addendum Project: Based on information contained within the EnviroStor database, maintained by the Department of Toxic Substance Control (DTSC, <http://www.envirostor.dtsc.ca.gov/>), the Addendum site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. As such, no new or substantially increased impacts in this regard would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

e) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: Airport Influence Areas for Ontario International Airport (ONT), as well as Chino Airport property, are located within the City of Ontario. The Certified EIR determined that consistency reviews of new development with the appropriate Airport Land Use Compatibility Plan (ALUCP) would be sufficient to prevent significant impacts. (Certified EIR, p. 5.8-27).

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum site is within the ONT Airport Influence Area (AIA). Specifically, the site is located approximately 1.9 miles southerly of ONT and approximately 2.8 miles from the nearest runway (RW 8R-26L). The ALUCP for ONT defines the AIA as an area in which current and future airport-related noise, overflight, safety, and airspace protection factors may significantly affect land uses or necessitate restriction on those uses. The Project site is located outside the ONT safety zones⁶ and the Chino Airport safety zones⁷. As with the development anticipated within the Certified EIR, development implemented pursuant to the Addendum Project would comply with all requirements set forth within the ALUCP. Based on the preceding, no new or substantially increased impacts in this regard would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

f) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The City manages disaster preparedness through the Technical Services Bureau of the Ontario Fire Department, which is responsible for the preparation of the community for disasters and the organization of recovery efforts. The Fire Department also works with other local public departments, such as the San Bernardino County Fire Department Hazardous Materials Division and, if necessary, the Countywide HazMat Team of the County Environmental Health Department, to enact these principles and to protect the community in the event of a disaster.

Additionally, the City maintains a Local Hazard Mitigation Plan and participates in the Standardized Emergency Management System (SEMS) as required under Government Code Section 8607(a).

The Certified EIR concluded that buildout in accordance with The Ontario Plan would not significantly affect these resources. (Certified EIR, p. 5.8-28).

⁶ http://www.ont-iac.com/wp-content/uploads/2019/02/ONT-compatibility-Exhibit-8-_July-2018-Amendment.pdf

⁷ <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-a11y.pdf>

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project would not cause permanent alteration to vehicle circulation routes, and would not interfere with any identified emergency response or emergency evacuation plan. In accordance with existing City policies, coordination with the local fire and police departments during pre-construction review of the Project's plans will ensure that potential interference with emergency response and evacuation efforts are avoided. No new or substantially increased impacts regarding emergency response plans or emergency evacuation plans would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

g) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that adherence to existing regulations and review of building plans by the Ontario Fire Department would reduce risks from urban and wildland fire threats to the City. No significant impacts were identified. (Certified EIR, p. 5.8-32).

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project site is located in an urbanized area, and no wildlands are located in the vicinity of the site. Fire protection services are provided to the City and the Project site by the Ontario Fire Department. Preconstruction coordination with Fire Department staff and adherence to local fire department regulations during construction and operation of the Project will be required. As such, no new or substantially increased impacts in this regard would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?					X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					X	
(i) result in substantial erosion or siltation on- or off-site?					X	
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?						

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?					X	
(iv) impede or redirect flood flows?					X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?					X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?						X

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR noted that although buildout of The Ontario Plan would increase concentrations of pollutants during construction and post-construction activities, future projects would be required to prepare a Water Quality Management Plan (WQMP) identifying Best Management Practices (BMPs) to reduce pollutants, including site-design, source-control, and/or treatment BMPs. The Certified EIR did not identify any significant impacts in this regard. (Certified EIR, p. 5.9-23).

Certified EIR Mitigation Measures: None.

Addendum Project: A WQMP has been prepared for The Vine (southern) portion of the Addendum site (*Water Quality Management Plan For: Toscana Square 20-Acre Site Ontario, CA [Kimley-Horn] October 2019*), and is provided at Attachment C to this Addendum.

Similarly, a WQMP for the remaining portion will be prepared as part of future development plans. The WQMP for the southern portion identifies applicable BMPs to be implemented by The Vine Project.

Buildout of the entire Addendum site would occur in compliance with erosion control measures, including grading and dust control measures, imposed via City grading permit regulations. Operations would comply with the National Pollutant Discharge Elimination System (NPDES) permit requirements. The NPDES requirements include, but are not limited to: minimizing stormwater pollutants of concern; containing properly designed outdoor material storage areas; containing properly designed trash storage areas; and providing proof of ongoing BMP maintenance.

Based on the preceding, the Addendum Project's potential to violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality is considered less-than-significant; no new or substantially increased water quality impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

b) No Changes or New Information Requiring Preparation of an MND or EIR.

Certified EIR Conclusions: The Certified EIR acknowledged that development pursuant to The Ontario Plan would increase the amount of impervious surface within the City; however, groundwater recharge efforts would not be hindered. Future development projects would be required to prepare project-specific hydrology studies, implement BMPs for compliance with NPDES regulations, and comply with City policies promoting infiltration of runoff and groundwater recharge. (Certified EIR, pp. 5.9-19 – 5.9-20).

Certified EIR Mitigation Measures: None.

Addendum Project: Direct additions or withdrawals of groundwater are not proposed by the Addendum Project. Construction proposed by the Project would not involve

massive substructures at depths that would significantly impair or alter the direction or rate of flow of groundwater.

A Hydrology Report has been prepared for The Vine (southern) portion of the Addendum Project site (*Preliminary Drainage Report, Toscana Square, San Bernardino County, California* [Kimley Horn] October 2019), and is provided at Attachment C to this Addendum. The drainage study identifies the use of dry wells within the site. Dry wells are used to capture runoff water and allow it to percolate into the ground. This minimizes drainage and water quality impacts to the municipal drainage system and allows for groundwater recharge.

A specific hydrology study addressing the northern portion will be prepared concurrently with future development plans. It is assumed that similar water percolation features will be utilized within the northern portion of the Addendum site.

The Addendum Project would not contribute to groundwater depletion or interfere with groundwater recharge to an environmentally significant degree. No new or substantially increased groundwater impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

c) No Changes or New Information Requiring Preparation of an MND or EIR.

Certified EIR Conclusions: Consistent with NPDES requirements, post-development runoff quantities would not be permitted to substantially increase as a result of a development project considered for approval under The Ontario Plan. In this regard, projects would be required to prepare project-specific hydrology studies. Further, existing City policies encourage the use of low impact development strategies to intercept runoff, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.

The Certified EIR notes that while the amount of impervious surfaces would be increased under The Ontario Plan (and thus surface water flows into drainage systems), existing

City and County requirements would ensure significant impacts do not occur. (Certified EIR, p. 5.9-19).

Certified EIR Mitigation Measures: None.

Addendum Project: Existing drainage patterns onsite would be retained. The Vine portion of the Addendum site will utilize a series of inlets that will retain runoff volume in six underground detention vaults to decrease the post-development peak flows. Additionally, the development will employ the use of dry wells to capture runoff.

These drainage facilities have been sized to accommodate drainage for the entire Addendum Project site, and limit the post-development peak flows to 80 percent of the pre-development peak flows. No new or substantially increased drainage impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, although inundation within the City is possible, the gently sloping terrain and emergency procedures in place would preclude significant hazards in this regard. (Certified EIR, pp. 5.9-23 through 5.9-24).

Certified EIR Mitigation Measures: None.

Addendum Project: According to Figure S-2, *Flood Hazards* of The Ontario Plan, the Addendum site is not located within a floodplain, near any drainage basins or channels, or within a dam inundation area. No new or substantially increased inundation impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

e) *No Impact.*

Certified EIR Conclusions: This checklist item was not specifically addressed within the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Addendum Project: The Addendum Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The Project would have no impact in this regard.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Water Quality Management Plan For: Toscana Square 20-Acre Site Ontario, CA (Kimley-Horn) October 2019; Preliminary Drainage Report, Toscana Square, San Bernardino County, California (Kimley Horn) October 2019; Addendum Project Design Concepts.*

11. LAND USE AND PLANNING

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Physically divide an established community?					X	
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concludes that implementation of The Ontario Plan would not result in significant land use impacts. (Certified EIR, p. 5.10-31).

Certified EIR Mitigation Measures: None.

Addendum Project: No established community is located on the site. To accommodate the Addendum Project, the site's land use designations would be amended. Tables 11-1 and 11-2 detail the breakdown of amended land use and zoning designations.

Table 11-1
Existing and Proposed Land Use Designations

Parcel	Existing TOP Land Use Designation	Existing Acreage	Proposed TOP Land Use Designation	Proposed Acreage
1083-361-01	Mixed Use	20.0	Industrial General Commercial	15.0 5.0
1083-361-04	Mixed Use	9.4	Industrial General Commercial	6.8 2.6
1083-361-07	Mixed Use Open Space Non-Recreation	11.95 3.75	Industrial Open Space Non-Recreation	11.95 3.75
Total				45.1

Table 11-2
Existing and Proposed Zoning Designations

Parcel	Existing Zoning Designation	Existing Acreage	Proposed Zoning Designation	Proposed Acreage
1083-361-01	Specific Plan	20.0	IL, Light Industrial CC, Community Commercial	15.0 5.0
1083-361-04	LDR-5, Low Density Residential CC, Community Commercial	8.1 1.3	IL, Light Industrial CC, Community Commercial	6.8 2.6
1083-361-07	CC, Community Commercial OS-R, Open Space Recreation	11.95 3.75	IL, Light Industrial OS-R, Open Space Recreation	11.95 3.75
Total				45.1

Table 11-3 presents a comparison between the maximum allowable FAR assumed within the General Plan and what is being proposed by the Addendum Project.

Table 11-3
Comparison of Assumed and Proposed FAR

Land Use	General Plan Assumption (Maximum Allowable)	Proposed Addendum Project
Industrial	n/a	0.47 FAR 697,150 square feet
Commercial	0.25 FAR 254,499 square feet	0.08 FAR 26,700 square feet
Office	1.5 FAR 669,735 square feet	n/a
Residential	25 du/ac 185 units total	n/a
Total	924,234 square feet	723,850 square feet

Land use goals, plans, policies, and regulations germane to the Project include the City of Ontario General Plan and Zoning Ordinance. The Addendum Project would comport to requirements and standards of the IL (Light Industrial), CC (Community Commercial), and OS-R (Open Space) zones. On this basis, and with the incorporation of any applicable mitigation measures identified within Table 5.1-1 of this Addendum, the potential for the Project to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect is considered less-than-significant.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

12. MINERAL RESOURCES

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?					X	
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concludes that implementation of The Ontario Plan would have no potential to result in the loss of a known mineral resource of value to the region or the state; or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. (Certified EIR, p. 5.11-7).

Certified EIR Mitigation Measures: None.

Addendum Project: Underlying conditions at the subject site have not changed since preparation of the Certified EIR, and the site remains devoid of any potentially valuable or locally-important mineral resources. On this basis, the Addendum Project would have no potential to result in the loss of a known mineral resource of value to the region or the state; or result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. No new or substantially increased mineral resources impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

13. NOISE

Would the project result in:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					X	
b) Generation of excessive groundborne vibration or groundborne noise levels?					X	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that new development implemented pursuant to The Ontario Plan would result in an increase in traffic on local roadways, and substantially increase the existing noise environment. Additionally, because construction activities associated with new development may occur near noise-sensitive receptors and noise disturbances may occur for prolonged periods of time, construction noise

impacts were considered potentially significant. Even with the implementation of Mitigation Measures 12-1 and 12-4, the potential for a substantial temporary or permanent increase in ambient noise levels was considered a significant and unavoidable impact of The Ontario Plan. (Certified EIR, p. 5.12-41).

Certified EIR Mitigation Measures:

12-1 Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).

12-4 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.

Addendum Project: To evaluate the noise levels associated with the Addendum Project, a Noise Impact Assessment was conducted⁸, and is presented as Attachment D to this Addendum. The following discussions summarize the findings of the Noise Impact Assessment.

⁸ *The Vine Noise Impact Assessment Memorandum* (Urban Crossroads, Inc.) October 6, 2020.

Noise Standards

Construction

The City of Ontario has set restrictions to control noise impacts associated with construction. Construction noise would be considered significant if construction activities occurring outside of the hours specified (7:00 AM and 6:00 PM weekdays and 9:00 AM to 6:00 PM weekends, excluding federal holidays) or if construction activities substantially elevate the ambient noise environment at noise-sensitive uses for a substantial period. It is assumed that the Addendum Project construction activities would comply with the City approved hour of activity restrictions, thereby precluding construction activities during noise-sensitive time periods. To present a conservative approach, this analysis nonetheless evaluates construction noise based on the 65 dBA Leq exterior noise level limit for the neighboring residential land uses (Noise Zone I).

Operational

The City of Ontario requires that noise from new stationary sources in the City comply with the City's Noise Ordinance, which limits the acceptable noise at the property line of the impacted property, to reduce nuisances to sensitive land uses. For Manufacturing and Industrial land uses (Noise Zone V), such as the Addendum Project, ambient exterior noise levels may not exceed 70 dBA Leq. For residential land uses (Noise Zone I), ambient exterior noise levels may not exceed 65 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.), and may not exceed 45 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.).

Ambient Conditions

To assess the existing noise level environment, five 24-hour noise level measurements were taken at noise sensitive receiver locations in the Addendum Project study area. Table 13-1 presents the ambient noise measurements. Please also refer to Noise Impact Assessment Exhibit C, *Noise Measurement Locations*.

Table 13-1
Ambient Noise Measurements

Location	Description	Energy Average Noise Level (dBA Leq)	
		Daytime	Nighttime
L1	Located on McCloud River Lane behind an existing single-family home at 3968 Klamath River Drive.	55.8	52.8
L2	Located near the intersection of Merced River Road and McCloud River Lane in the nearby single-family residential neighborhood.	54.5	54.8
L3	Located north of East Riverside Drive and south of the single-family home at 2965 McCloud River Lane.	56.8	55.2
L4	Located near Mill Creek Avenue west of the single-family home at 3935 E. Lindenwood Drive.	59.9	57.8
L5	Located south of East Riverside Drive and east of the single-family home at 4097 E. Auburn Way.	55.1	54.8

Source: *The Vine Noise Impact Assessment Memorandum* (Urban Crossroads, Inc.) October 6, 2020.

Sensitive Receivers

To assess the potential for short-term construction and long-term operational impacts, the following five receiver locations, shown at Noise Impact Assessment Exhibit D, *Sensitive Receiver Locations*, were identified as representative locations for analysis.

R1: Located approximately 196 feet west of the Project site, R1 represents an existing residential home located at 3977 Yuba River Drive in the City of Ontario. A 24-hour noise level measurement was taken near this location, L1, to describe the existing ambient noise environment.

R2: Location R2 represents the existing single-family residential home at 2913 McCloud River Lane located roughly 285 feet west of the Project site in the City of Ontario. A 24-hour noise level measurement was taken near this location, L2, to describe the existing ambient noise environment.

R3: Located approximately 287 feet west of the Project site across the power transmission lines, R3 represents an existing residential home at 2965 McCloud River Lane in the City of

Ontario. L3 represents the nearest 24-hour noise level measurement taken near this location to describe the existing ambient noise environment.

R4: Location R4 represents the Colony High School located approximately 1,731 feet south west of the Project site at 3850 E. Riverside Drive. The 24-hour noise level measurement location L4 is used to describe the existing ambient noise environment.

R5: Located approximately 294 feet south of the Project site across E. Riverside Drive, R5 represents an existing single-family residential home at 4097 E. Auburn Way in the City of Ontario. A 24-hour noise level measurement was taken near this location, L5, to describe the existing ambient noise environment.

Construction Noise Impacts

To describe the Addendum Project construction noise levels, measurements were collected for similar activities at several construction sites. Based on the reference construction noise levels, noise levels associated with construction of the Addendum Project were estimated as presented at Table 13-2.

Table 13-2
Construction Equipment Noise Level Summary

Location	Construction Noise Levels (dBA Leq)		
	Highest Construction Noise Levels	Threshold	Threshold Exceeded?
R1	62.7	65	No
R2	59.5	65	No
R3	59.4	65	No
R4	43.8	65	No
R5	59.2	65	No

Source: The Vine Noise Impact Assessment Memorandum (Urban Crossroads, Inc.) October 6, 2020.

As shown at Table 13-2, the construction noise levels will satisfy the City of Ontario exterior noise level limit of 65 dBA Leq for the neighboring residential land uses (Noise Zone I).

Operational Noise Impacts

To assess the highest potential noise conditions, the analysis assumes the Addendum Project would be operational 24 hours per day, seven days per week. The Addendum Project business operations would primarily be conducted within the enclosed buildings, except for traffic movement, parking, and the loading/unloading of trucks at designated loading bays. The onsite Project-related noise sources are expected to include: short term truck idling, delivery truck activities, backup alarms, and the loading/unloading of dry goods, roof-top air conditioning units, and parking lot vehicle movements.

Table 13-3 presents the combined total Project-only operational noise level projections at the nearby sensitive receiver locations in comparison with the City of Ontario Municipal Code exterior noise level standards.

Table 13-3
Operational Noise Level Compliance

Location	Noise Sources			Combined Operational Noise Levels	Noise Level Standard		Threshold Exceeded	
	Unloading/Docking Activity	Roof-Top A/C Unit	Parking Lot Movements		Day time	Night time	Day time	Night time
R1	36.0	35.3	27.0	39.0	65	45	No	No
R2	36.9	30.8	25.6	38.1	65	45	No	No
R3	35.3	28.4	24.6	36.4	65	45	No	No
R4	24.7	17.6	13.1	25.7	65	45	No	No
R5	33.9	28.1	24.2	35.3	65	45	No	No

Source: The Vine Noise Impact Assessment Memorandum (Urban Crossroads, Inc.) October 6, 2020.

As shown above, the Addendum Project operational noise levels at the nearby sensitive receiver locations are expected to range from 25.7 to 39.0 dBA Leq. Based on the results of this analysis, the Addendum Project operational noise levels will satisfy the City of Ontario Municipal Code 65 dBA Leq daytime and 45 dBA Leq nighttime exterior noise level standards at nearby noise sensitive single-family residential land uses.

Operational noise levels that comply with applicable standards do not comprise a substantial permanent increase in ambient noise levels, or a substantial temporary or periodic increase in ambient noise levels.

Off-Site Traffic Noise Impacts

To describe the potential off-site traffic noise associated with the Addendum Project, a Trip Generation Analysis Comparison was prepared.⁹ Trip generation for the Addendum Project was compared to trip generation that would occur under the development of the subject site envisioned under The Ontario Plan. As detailed at Section 17, *Transportation*, the Addendum Project is anticipated to generate 15,299 fewer trip-ends per day (with 326 fewer AM and 1,100 fewer PM peak hour trips) than those assumed within the Certified EIR. This equates to a 34% reduction during the AM, 62% reduction during the PM peak hours, and a 71% reduction to daily trip-ends.

In 2019, the land uses envisioned for the Addendum site were modified within the Land Use Element of TOP. These changes were based on previous land use approvals for the Addendum site. The modified uses included multi-family residential, retail, and office uses. The Addendum Project is anticipated to generate 12,870 fewer trip-ends per day (with 333 fewer AM and 1,194 fewer PM peak hour trips) as compared to the uses currently envisioned for the site. This equates to a 33% reduction during the AM, 64% reduction during the PM peak hours, and a 68% reduction to daily trip-ends.

Based on the preceding, the Addendum Project would result in far fewer daily trips than either those assumed within the Certified EIR, or when compared to the land uses currently approved for the site. Reduced traffic generation under the Addendum Project would translate to diminished traffic noise impacts when compared to impacts identified in the Certified EIR. The Certified EIR concluded that development of land uses pursuant to The Ontario Plan would result in significant and unavoidable transportation-source noise impacts. Under the Addendum Project, transportation-source noise impacts would be diminished when compared to impacts presented in the Certified EIR. On this basis, when compared to the Certified EIR findings, no new or substantially increased transportation-source noise impacts would occur under the Addendum Project.

⁹ *The Vine Trip Generation Evaluation* (Urban Crossroads, Inc) September 24, 2020.

Summary

The Certified EIR concluded that development of land uses pursuant to The Ontario Plan would result in significant and unavoidable noise impacts. As presented in the preceding discussions, under the Addendum Project, noise impacts would be less-than-significant. On this basis, when compared to the Certified EIR findings, no new or substantially increased noise impacts would occur under the Addendum Project.

Addendum Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that mobile-source and operational vibration impacts associated with buildout of The Ontario Plan would be less-than-significant. However, construction activities associated with buildout of the individual land uses could expose sensitive uses to strong levels of groundborne vibration. Additionally, sensitive land uses along the Union Pacific railroad corridor would be exposed to strong levels of groundborne vibration. Even with the implementation of Mitigation Measure 12-1, the Certified EIR concluded that construction-source groundborne vibration would be a significant and unavoidable impact. Impacts related to the Union Pacific railroad corridor would be less-than-significant, as mitigated. (Certified EIR, pp. 5.12-40 – 5.12-42).

Certified EIR Mitigation Measures:

12-2 *Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).*

12-3 *Prior to the issuance of building permits for any project that involves a vibration-sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority*

main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.

Addendum Project:

Construction Vibration

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. It is expected that groundborne vibration from construction activities would cause only intermittent, localized intrusion. The Addendum Project's construction activities most likely to cause vibration impacts are:

- **Heavy Construction Equipment:** Although all heavy mobile construction equipment has the potential of causing at least some perceptible vibration, the vibration is usually short-term and is not of sufficient magnitude to cause building damage. It is not expected that heavy equipment such as large bulldozers would operate close enough to any residences to cause a vibration impact.
- **Trucks:** Trucks hauling building materials to construction sites can be sources of vibration intrusion if the haul routes pass through residential neighborhoods on streets with bumps or potholes. Repairing the bumps and potholes generally eliminates the problem.

Groundborne vibration levels resulting from construction activities occurring within the Project site were estimated by data published by the Federal Transit Administration (FTA), as shown at Table 13-4.

Table 13-4
Construction Equipment Vibration Levels

Location	Land Use	Distance to Construction Activity	Receiver Vibration Levels (VdB)					Threshold (VdB)	Threshold Exceeded?
			Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Highest Vibration Levels		
R1	Residential	196'	31.2	52.2	59.2	60.2	60.2	78	No
R2	Residential	285'	26.3	47.3	54.3	55.3	55.3	78	No
R3	Residential	287'	26.2	47.2	54.2	55.2	55.2	78	No
R4	School	1,731'	2.8	23.8	30.8	31.8	31.8	78	No
R5	Residential	294'	25.9	46.9	53.9	54.9	54.9	78	No

Source: *The Vine Noise Impact Assessment Memorandum* (Urban Crossroads, Inc.) October 6, 2020.

Table 13-4 shows the highest construction vibration levels are expected to approach 60.2 VdB at sensitive receiver location R1. This vibration level would not exceed the 78 VdB residential identified by the FTA. All other locations would experience vibration levels below those anticipated to affect receiver R1. Moreover, the impacts at the site of the closest sensitive receivers are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating adjacent to the Project site perimeter.

Operational Vibration

The operation of the Addendum Project will include heavy trucks moving on site to and from the loading dock areas. Truck vibration levels are dependent on vehicle characteristics, load, speed, and pavement conditions. Typical vibration levels for heavy trucks at normal traffic speeds do not exceed 65 VdB at 25 feet. Therefore, given that delivery trucks would be traveling on-site at lower speeds, unmitigated Project-related operational vibration levels at the nearby receiver locations are anticipated to remain below 65 VdB. As such, unmitigated Project operational vibration levels would remain below the FTA vibration thresholds of 78 VdB at nearby sensitive receiver locations. On this basis, the operational vibration impacts resulting from transiting heavy trucks would be less-than-significant.

Summary

Based on the preceding, the potential for the Addendum Project to result in the generation of excessive groundborne vibration or groundborne noise levels is considered less-than-

significant. No new or substantially increased impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

c) No Changes or New Information Requiring Preparation of an MND or EIR.

Certified EIR Conclusions: Aircraft overflights, takeoffs, and landings in the City of Ontario contribute to the ambient noise environment. The Certified EIR concluded that Chino Airport does not significantly affect sensitive receptors within the City of Ontario. However, sensitive land uses within the 65 dba CNEL noise contour of the Ontario International Airport would be exposed to substantial levels of airport-related noise. Even with the implementation of mitigation, airport-related noise was deemed a significant and unavoidable impact of The Ontario Plan. (Certified EIR, pp. 5.12-40 – 5.12-42).

Certified EIR Mitigation Measures: Refer to Mitigation Measure 12-1, above.

Addendum Project: The Addendum Project site is located roughly two miles southeast of the Ontario International Airport (ONT). The Ontario International Airport Land Use Compatibility Plan was adopted by Ontario City Council on April 19, 2011 to promote compatibility between the airport and the land uses that surround it. The Project site is located within the airport influence area exposing the site to exterior noise levels ranging from 60-65 dBA CNEL. The Table 2-3 Noise Criteria established within the Ontario International Airport Land Use Compatibility Plan would apply to the Addendum Project. Industrial land uses located within the 60-65 dBA CNEL noise level contours of ONT, such as the Addendum Project, are considered a normally compatible land use and must reduce interior noise levels to 50 dBA CNEL. Standard building construction practices required under the State of California Green Building Standards Code (CALGreen) typically provide up to 25 dBA CNEL of attenuation. As such, application of standard CALGreen construction practices would yield acceptable Project interior noise levels of approximately 35 to 40 dBA CNEL.

Based on the preceding, the Addendum Project would not be adversely affected by airport/airfield noise, nor would the Addendum Project contribute to or result in adverse

airport/airfield noise impacts. No new or substantially increased impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; The Vine Noise Impact Assessment Memorandum (Urban Crossroads, Inc.) October 6, 2020; Addendum Project Design Concepts.

14. POPULATION AND HOUSING

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?					X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?					X	

Substantiation:

a – b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, while The Ontario Plan would increase both population and employment in the City, impacts would be less-than-significant. (Certified EIR pp. 5.13-12 – 5.13-20).

Certified EIR Mitigation Measures: None.

Addendum Project:

Direct Population Growth Inducement

No housing exists within the Addendum Project site. The site does not accommodate any resident populations. The Addendum Project represents a component of development and growth generally anticipated by the City, as reflected by the site's current Land Use designations. Development proposed by the Addendum Project responds globally to existing and anticipated market demands of the City and region.

Indirect Growth Inducement

Indirect population growth inducement could result from creation of additional jobs and the extension of infrastructure and services to areas not currently served, or substantial capacity/capability upgrades to existing systems and services.

Job Creation

In general terms, job creation furthers growth via wages, salaries and general fiscal benefits; increased demands for housing; and increased demands for housing, and consumer goods and services. However, job creation and associated growth would not result in impacts not already considered and addressed in the Certified EIR.

Infrastructure Improvements

The Addendum Project would implement infrastructure improvements that are consistent with the City and purveyor master plans. Growth that may result from or be facilitated by the Addendum Project infrastructure improvements would not result in impacts not previously considered and addressed in the Certified EIR.

SCAG Regional Population Growth Projections

SCAG population growth projections reflect assumptions and development scenarios incorporated in local plans including City general plans. As demonstrated in the preceding discussions, the Project would not induce or generate growth beyond that reflected in the Certified EIR. Accordingly, the Project would not result in growth not already anticipated within SCAG population growth projections for the region.

Summary

Based on the preceding discussions, the Addendum Project would not induce substantial population growth; displace substantial numbers of existing housing; or displace substantial numbers of people. No new or substantially increased population and housing impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

15. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any public service:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Fire protection?						X
b) Police protection?						X
c) Schools?						X
d) Parks?						X
e) Other public facilities?						X

Substantiation:

a – e) *No Impact.*

Certified EIR Conclusions: Section 5.14, *Public Services*, of the Certified EIR concluded that no significant impacts related to public services would occur.

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project would be constructed within an already-developed urban environment. Fire protection and police protection services are currently available to the subject site via existing facilities. Further, the industrial and commercial uses proposed by the Project would not create substantive additional demands for school or park facilities. Development impact fees and sales tax revenues generated by the Addendum Project would provide funding sources available for support and enhancement of public services commensurate with incremental demands of the development. No new or substantially increased public service impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; Addendum Project Design Concepts.

16. RECREATION

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?					X	
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR determined that because new development would be required to provide sufficient public parkland or pay in-lieu fees, impacts to recreational facilities would be less-than-significant. (Certified EIR, pp. 5.15-12 – 5.15-15).

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project does not propose residential uses or recreational facilities. The proposed industrial and commercial uses would not generate resident populations, and therefore would have no potential to increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; or to include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Additionally, as discussed within the Certified EIR, the Addendum Project would be required to pay in-lieu fees. No new or substantially increased recreation impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

17. TRANSPORTATION

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?					X	
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 ¹⁰ or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?					X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?					X	
d) Result in inadequate emergency access?					X	

Substantiation:

a) *No Changes or New Information Requiring Preparation of an MND or EIR.*

¹⁰ CEQA Guidelines section 15064.3(c) provides that a lead agency “may elect to be governed by the provisions” of the section immediately; otherwise, the section’s provisions apply July 1, 2020. Here, the District has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

Certified EIR Conclusions: The Certified EIR concluded that with the implementation of regulatory requirements, all transportation impacts would be less-than-significant, with the exception of the following:

“Trips generated as a result of buildout of the proposed land use plan would cause a deficient level of service for the existing area intersections without implementation of the recommended lane geometry improvements. In addition, buildout of the proposed land use plan would also cumulatively contribute to the cumulatively significant freeway level of service impact that is already projected to occur in the future.”

The Certified EIR concluded that cumulative impacts in this regard would be significant and unavoidable. More specifically, the Certified EIR states, “Mitigation Measure 16-1 includes development of more enhanced intersections throughout the City, as identified in Table 5.16-6, and construction of additional turn and through lanes. Implementation of these improvements would result in LOS E or above at all intersections during both AM and PM peak hours. These improvements would occur through the entitlement process. Under the City’s development impact fee program, project applicants for new developments can either contribute their fair share toward traffic improvements or make the improvements as part of the project. Additionally, the City of Ontario has a Capitol [sic] Improvement Program that details the implementation of regional improvements. With implementation of the mitigation measure, impacts to local roadways would be less than significant. However, buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to mainline freeway segment impacts. The City’s development impact fees cannot be used for improvements to roadway facilities under Caltrans’ sole jurisdiction, such as freeway mainline segments, and the City cannot widen the freeway itself. Indeed, the widening of a freeway would require the acquisition of additional right-of-way, often at the expense of residential uses, and the high cost financially and socially of such a disruption would render such cumulative mitigation infeasible, even if it were within the City’s jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable.” (Certified EIR, p. 5.16-47).

Certified EIR Mitigation Measure:

16-1 *The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates. Table 5.16-6 shows the recommended lane geometry for the Proposed Land Use Plan.*

Addendum Project: Comparative traffic impacts of the Addendum Project can be inferred by comparing the estimated trip generation between the land uses that were assumed within the Certified EIR Traffic Impact Analysis (TIA) to the traffic generation of the Addendum Project land uses. To this end, a Trip Generation Analysis Comparison has been conducted for the Addendum Project.¹¹ The Trip Generation Analysis Comparison is presented as Attachment E to this Addendum.

The trip generation for a development is expressed in vehicle trip ends, defined as one-way vehicular movements, either entering or exiting the generating land use. Trip generation rates for different land uses are typically found in publications by the Institute of Transportation Engineers (ITE) and by local agencies such as San Diego Association of Governments (SANDAG). Trip generation rates for the Project were obtained from ITE's *Trip Generation*, 10th Edition for the peak hours of adjacent street traffic (7 am to 9 am during the morning peak period and 4 pm to 6 pm during the evening peak period), and on a typical weekday.

The Traffic Impact Analysis prepared for the Certified EIR was based on a traffic model that subdivided the City into 254 traffic analysis zones. The Addendum Project site comprises Traffic Analysis Zone (TAZ) 191. Within the Certified EIR, TAZ 191 was assumed to contain over 1.3 million square feet of commercial and retail uses.

Table 17-1 presents a comparison of the trip generation associated with the Addendum Project compared to those assumed under the Certified EIR for TAZ 191.

¹¹ *The Vine Trip Generation Evaluation* (Urban Crossroads, Inc.) September 24, 2020.

Table 17-1
Trip Generation Comparison (General Plan)

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Currently Adopted TAZ 191							
Passenger Cars	674	322	996	734	1,037	1,771	21,495
Addendum Project							
Passenger Cars	496	126	623	170	466	636	5,490
Truck Trips	39	8	47	8	27	35	706
Total Project Trips (PCE)	535	134	670	178	493	671	6,196
Variance							
Passenger Cars	-178	-196	-373	-564	-571	-1,135	-16,005
Truck Trips	39	8	47	8	27	35	706
Total Variance (PCE)	-139	-188	-326	-556	-544	-1,100	-15,299

Source: *The Vine Trip Generation Evaluation* (Urban Crossroads, Inc.) September 24, 2020.

As shown above, the Addendum Project is anticipated to generate 15,299 fewer trip-ends per day (with 326 fewer AM and 1,100 fewer PM peak hour trips) than those assumed within the Certified EIR for TAZ 191. This equates to a 34% reduction during the AM, 62% reduction during the PM peak hours, and a 71% reduction to daily trip-ends.

In 2019, the land uses envisioned for the Addendum site were modified within the Land Use Element of TOP. These changes were based on previous land use approvals for the Addendum site. The modified uses included multi-family residential, retail, and office uses.

Table 17-2 presents a comparison of the trip generation associated with the Addendum Project compared to the modified land uses currently approved for the site.

Table 17-2
Trip Generation Comparison (Currently Adopted Land Uses)

Land Use	AM Peak Hour			PM Peak Hour			Daily
	In	Out	Total	In	Out	Total	
Currently Adopted Land Uses							
Passenger Cars	753	250	1,003	686	1,180	1,865	19,066
Addendum Project							
Passenger Cars	496	126	623	170	466	636	5,490
Truck Trips	39	8	47	8	27	35	706
Total Project Trips (PCE)	535	134	670	178	493	671	6,196
Variance							
Passenger Cars	-257	-124	-380	-516	-714	-1,229	-13,576
Truck Trips	39	8	47	8	27	35	706
Total Variance (PCE)	-218	-116	-333	-508	-687	-1,194	-12,870

Source: *The Vine Trip Generation Evaluation* (Urban Crossroads, Inc.) September 24, 2020.

As shown above, the Addendum Project is anticipated to generate 12,870 fewer trip-ends per day (with 333 fewer AM and 1,194 fewer PM peak hour trips) as compared to the uses currently envisioned for the site. This equates to a 33% reduction during the AM, 64% reduction during the PM peak hours, and a 68% reduction to daily trip-ends.

Based on the preceding discussions, the Addendum Project would result in far fewer daily trips than either those assumed within the Certified EIR for TAZ 191 (-71%), or when compared to the land uses currently assumed in TOP for the site (-68%). As such, the Addendum Project would not result in any new or substantially increased impacts that were not identified as part of the Certified EIR.

Addendum Project Mitigation Measures: None.

b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: *CEQA Guidelines* Section 15064.3, subdivision (b) was added to the *CEQA Guidelines* in 2019. The Vehicle Miles Traveled (VMT) metric established under Section 15064.3 is recognized. The VMT metric is effective as of July 2020. The VMT metric and related provisions were therefore not considered in the Certified EIR.

Certified EIR Mitigation Measures: None.

Addendum Project: The *CEQA Guidelines* Section 15064.3 VMT metric and related provisions have not yet been adopted or implemented by the City. Pending City adoption and implementation of a VMT analysis methodology/VMT thresholds, current jurisdictional LOS analysis methodologies and LOS deficiency criteria are reflected in this Addendum analysis. The Addendum Project would therefore not result in any impacts relative to *CEQA Guidelines* Section 15064.3, subdivision (b).

Addendum Project Mitigation Measures: None.

c – d) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that although buildout of the of the City would result in changes to the circulation network, it would not increase hazards due to design features. Roadway classification standards adopted by the City include roadway design standards that would preclude the construction of any unsafe features. Additionally, a review of emergency access is included as part of the City's Design Review process. (Certified EIR, p. 5.16-36).

Certified EIR Mitigation Measures: None.

Addendum Project: The Addendum Project does not propose elements or aspects that would substantially increase transportation/traffic hazards. Moreover, all improvements would be designed and implemented consistent with City traffic engineering and safety

standards, thereby minimizing the potential to result in or cause hazardous traffic/transportation conditions.

The Addendum Project would generate urban traffic comparable to and compatible with the vehicle mix and vehicle categories present within the area roadway system. The Project uses would therefore not cause or result in incompatible vehicle movements or traffic that would substantively increase hazards. Further, based on the projected net decrease in trip generation under the Addendum Project, the potential for the Project to result in potential traffic hazards would likely be reduced when compared to the uses assumed within the Certified EIR.

The Addendum Project does not propose or require uses or facilities that would permanently or adversely affect emergency access to the subject or surrounding properties. In conjunction with the review and approval of building permits, all plans would be reviewed to assure compliance with all applicable emergency access and safety requirements.

Additionally, pursuant to the Project Construction Traffic Management Plan (please refer to Addendum Section 2, *Project Description*, 2.4.6 *Construction Traffic Management Plan*), the Addendum Project would be required to maintain appropriate access during construction activities.

Addendum Project Mitigation Measures: None.

Sources: *The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140* (The Planning Center) April 2009; *The Vine Trip Generation Evaluation* (Urban Crossroads, Inc.) September 24, 2020; Addendum Project Design Concepts.

18. TRIBAL CULTURAL RESOURCES

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or					X	
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.					X	

Substantiation:

a, b) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: This environmental topical concern has recently been added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form and was therefore not specifically addressed in the Certified EIR. Impacts to tribal cultural resources were addressed through Section 5.5, *Cultural Resources*, of the Certified EIR. With the implementation of mitigation, the Certified EIR concluded that impacts would be less-than-significant.

Certified EIR Mitigation Measures:

- 5-3 *Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.*
- 5-4 *Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.*

Addendum Project: As discussed previously at Checklist Item 5, *Cultural Resources*, the Addendum Project would not affect historic, archaeological, or paleontological resources. Consistent with Mitigation Measure 5-3, the City initiated tribal notification on November 19, 2019. In response to information received from the Native American Heritage Commission, additional tribes were notified on December 20, 2019. Of the responses received to date, only the Gabrieleno Band of Mission Indians – Kizh Nation has requested consultation. Moving forward, Certified EIR Mitigation Measure 5-4 will be implemented by the Addendum Project, as presented within the *Mitigation and Implementation Summary Matrix*, shown within Section 5.0 of this Addendum.

Consultation and coordination with relevant tribes, as required by Mitigation Measures 5-3 and 5-4, act to preclude significant impacts to tribal cultural resources. The Addendum Project would not result in any new or substantially increased impacts that were not identified as part of the Certified EIR.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?					X	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?					X	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?					X	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?					X	

Would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?					X	

Substantiation:

a-c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

Certified EIR Conclusions: The Certified EIR concluded that, although buildout of The Ontario Plan would generate additional wastewater, it would be adequately treated in accordance with Regional Water Quality Control Board and California Department of Public Health requirements. Additionally, storm drainage systems would be expanded to accommodate growth associated with the buildout of The Ontario Plan. Upon implementation of regulatory requirements and standard conditions of approval, impacts in this regard were deemed less-than-significant. (Certified EIR, pp. 5.17-25 and 5.17-28).

The Certified EIR also determined that buildout of The Ontario Plan would create a four percent greater need for water supply than previously assessed in the City of Ontario Urban Water Management Plan (2005). Mitigation Measures 17-1 through 17-3 were included to preclude significant impacts. (Certified EIR, p. 5.17-20).

Certified EIR Mitigation Measures:

17-1 The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to:

- a) *Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council).*
- b) *Continue to develop and implement drought contingency plans to assist citizens and businesses reduce water use during water shortages and emergencies.*
- c) *Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB 325.*

17-2 *The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual-system office and industrial uses in selected urban areas of the City, where available and feasible.*

17-3 *The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long-term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.*

Addendum Project: Assuming a base water demand factor of 2,200 gallons per day/acre for commercial uses and 2,000 gallons per day/acre for industrial uses, development of the Addendum Project would result in a water demand reduction of 53.6 acre-feet per year as compared to the water demand assumed in Certified EIR.¹²

¹² Water Supply Assessment, Meredith International Centre, Albert C. Webb, 2014

**Table 19-1
Water Demand**

	Land Use	Acreage/DU	Water Factor (gpd/acre)	Total Water Use (gal/day)	Total Water Use (acre feet per year)	Water Use Reduction
Existing General Plan						
	Residential	7.4/185	251/DU	46,435	52.0	
	Retail	23.3	2200	51,260	57.0	
	Office	10.2	3400	34,680	38.8	
<i>Total General Plan</i>				132,375	147.8	
Addendum Project						
	Industrial	33.7	2000	67,400	75.5	
	Commercial	7.6	2200	16,720	18.7	
<i>Total Addendum</i>				84,120	94.2	
Difference				(48,255)	(53.6)	(36.7%)

As shown in Table 19-1, implementation of the Addendum Project would result in a 36.7 percent reduction in water demand as compared to the uses assumed within the Certified EIR.

Current development plans for The Vine Project show connections to existing potable and recycled water facilities located adjacent to the site, as illustrated at Figure 2.4-5. All improvements would be constructed and inspected by the City of Ontario. The Project proponents would be required to pay utility and service system connection fees established by the City to support the maintenance and planned improvement of existing infrastructure.

No additional or non-standard treatment is required to meet the Addendum Project's water demands. The Addendum Project would be required to pay applicable water and sewer connection and service fees, which act to fund City improvement plans, operations, and maintenance. The IEUA, as a regional wastewater treatment provider, will determine when and in what manner treatment facilities will be constructed and/or upgraded to meet increasing demands of areawide development, including the incremental demands of the Addendum Project.

The Addendum Project would not result in any new or substantially increased utility or service system impacts not previously identified within the Certified EIR.

Addendum Project Mitigation Measures: None.

d,e) No Changes or New Information Requiring Preparation of an MND or EIR.

Certified EIR Conclusions: The Certified EIR concluded that buildout of The Ontario Plan would be served by landfills with sufficient permitted capacities to accommodate all solid waste disposal needs. Additionally, no conflicts with federal, state, and local management and reduction statutes and regulations related to solid waste were identified. The Certified EIR determined that impacts related to solid waste would be less-than-significant. (Certified EIR, p. 5.17-31).

Certified EIR Mitigation Measures: None.

Addendum Project: Refuse within the City is sent to the West Valley Materials Recovery Facility (MRF) in Fontana for processing, recycling, or landfilling. Most refuse is then transported from the MRF to El Sobrante Landfill in the City of Corona. El Sobrante landfill has a capacity of 184,930,000 tons and is expected to close in 2030.

Solid waste management statutes and regulations applicable to the Addendum Project are summarized below.

City of Ontario Construction & Demolition Recycling Plan (CDRP)

Pursuant to Ontario Municipal Ordinance (OMC) Sec. 6-3.602 *Construction & Demolition Recycling Plan* and the 2016 California Green Building Standards Code (CALGreen), all building and demolition permit applicants are required to prepare and submit a Construction & Demolition Recycling Plan (CDRP) and a Construction & Demolition Recycling Plan (CDRP) Summary Report. OMC Sec. 6-3.602 and CALGreen require all construction and qualifying renovation and demolition projects to divert at least 65% of all generated waste materials. The Addendum Project would be subject to (OMC) Sec. 6-3.602 and CALGreen construction waste diversion mandates. The City oversees

compliance with OMC Sec. 6-3.602 and CALGreen construction waste diversion mandates.

AB 939 - California Integrated Waste Management Act of 1989

Solid waste management is guided by the California Integrated Waste Management Act of 1989 (AB 939), which emphasizes resource conservation through reduction, recycling, and reuse of solid waste. AB 939 requires that localities conduct a Solid Waste Generation Study (SWGS) and develop a Source Reduction Recycling Element (SRRE), providing for a minimum 50 percent reduction in waste sent to landfills. Diversion rates are calculated and tracked by the California Integrated Waste Management Board (Board). Alternatively, the Board can determine that a jurisdiction's "good faith efforts" to implement comprehensive diversion programs have satisfied the requirement even if diversion levels are below 50 percent.

To reduce waste disposal, AB 939 requires every California city and county to divert 50 percent of its waste from landfills. Residential, commercial and governmental waste recycling programs in support of the SRRE have been implemented by the City.

The City is currently meeting or exceeding all AB 939 solid waste diversion targets. The Addendum Project would be required to comply with AB 939 as implemented by the City.

AB 341 - Commercial Recycling

Assembly Bill 341 mandates recycling for businesses producing four or more cubic yards of solid waste per week, and multifamily dwellings of five units or more. Under the law, business must separate recyclables from trash and then either subscribe to City of Ontario recycling services, self-haul their recyclables, or contract with a permitted private recycler. The Addendum Project would be subject to Assembly Bill 341 mandates.

AB 1826 - Commercial Organics Recycling

Under Assembly Bill 1826, businesses are required to arrange for organic recycling services. The Project would be subject to Assembly Bill 1826 mandates.

The California Department of Resources Recycling and Recovery (CalRecycle) oversees both the mandatory commercial recycling program and the mandatory commercial organics recycling program. The City of Ontario supports both bills through public outreach, monitoring of recycling efforts, providing notification to non-compliant businesses, and periodic State reporting.

The Project would be required to comply with the above solid waste management statutes and regulations. The City and CalRecycle would oversee and monitor compliance with applicable solid waste management statutes and regulations.

SB 1383 - Organic Waste Management Requirements

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

The City is currently developing programs and strategies to address the requirements of SB 1383, the Addendum Project would be required to ultimately abide by those requirements.

As stated within the Certified EIR, impacts to solid waste services and facilities from new development such as the Addendum Project are handled through the payment of development impact fees as outlined in the City of Ontario Development Impact Fee Calculation and Nexus Fee Schedules. With the payment of required development impact fees and compliance with existing solid waste regulations, the Addendum Project would not result in any new or substantially increased solid waste impacts not previously identified within the Certified EIR.

Addendum Project Mitigation Measures: None.

Sources: The Ontario Plan Draft Environmental Impact Report, State Clearinghouse No. 2008101140 (The Planning Center) April 2009; Addendum Project Design Concepts.

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?						X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?						X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?						X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?						X

Substantiation:

a – d) *No Impact.*

Certified EIR Conclusions: This environmental topical concern has been recently added to the *CEQA Guidelines* Appendix G, Environmental Checklist Form and was therefore not specifically addressed in the Certified EIR.

Certified EIR Mitigation Measures: Not Applicable.

Addendum Project: The Addendum Project site, and City of Ontario as a whole, is a densely urbanized area. According to California Department of Forestry and Fire

Protection (CAL FIRE) Fire Hazard Severity Zone Maps, the area is not located within or near a state responsibility area, or within an area classified as a very high fire hazard severity zone.

Fire protection services for the Addendum Project site and vicinity are currently available through the Ontario Fire Department. Adherence to local fire department building and site design requirements, and compliance with codified fire protection and prevention measures during construction and operation of the Addendum Project are required. No new or substantially increased wildfire impacts would occur as a result of the Addendum Project.

Addendum Project Mitigation Measures: None.

Sources: https://osfm.fire.ca.gov/media/6781/fhszs_map62.pdf; Addendum Project Design Concepts.

21. MANDATORY FINDINGS OF SIGNIFICANCE

	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
Does the project: a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?					X	

Does the project:	Substantial Change in Project Requiring Major MND Revisions	Substantial Change in Circumstances Requiring Major MND Revisions	New Information Showing Greater Significant Effects than Previous MND	New Information Showing Ability to Reduce but not Eliminate Significant Effects in Previous MND	No Changes or New Information Requiring Preparation of an MND or EIR	No Impact
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)					X	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?					X	

Substantiation:

a – c) *No Changes or New Information Requiring Preparation of an MND or EIR.*

This Addendum defines, describes, compares, and contrasts potential environmental impacts of the Addendum Project in the context of the environmental impacts assessed in the Certified EIR. In so doing, this Addendum substantiates consistency with applicable California Environmental Quality Act (CEQA) Guidelines provisions addressing preparation of an Addendum to a previously-Certified EIR.

As supported by the discussions presented herein, the Addendum Project would not substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory; have impacts that are individually limited, but cumulatively considerable; or have environmental

effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The Addendum Project would not result in or cause any new significant impacts, substantively increased impacts, or substantively different environmental impacts than those previously addressed in the Certified EIR.

4.0 DETERMINATION

4.0 DETERMINATION

As supported by the analysis presented herein, the potential environmental effects of the development allowed by the Addendum Project, and associated required discretionary actions, have been adequately addressed in the Certified EIR. This Addendum provides minor technical changes to the Certified EIR analysis. As such, the development of any further information and analysis is not warranted. Pursuant to the requirements of *CEQA Guidelines* Section 15162 and 15164, the following determinations have been made.

Major Revisions to the Certified EIR Not Required

Based on the preceding analysis and information, there is no evidence that major changes to the Certified EIR are required. This Addendum indicates that there is no new significant or more severe environmental impact, and that the development of the Project described herein would essentially have the same, or reduced, impacts as those described in the Certified EIR.

No Substantial Change in Circumstances Requiring Major Revisions to the Certified EIR

No information exists in the record, or is otherwise available that indicates that there are substantial changes in circumstances that would require major changes to the Certified EIR.

No New Information Showing Greater Significant Effects than Identified in the Certified EIR

This Addendum has considered all available relevant information to determine whether there is new information, which was not available at the time the Certified EIR was prepared, that may indicate that a new significant effect may occur that was not reported in the Certified EIR. As supported by the analysis presented in this Addendum, there is no substantial new information that was not available at the time of

the Certified EIR, indicating that there will be a new, significant impact requiring major revisions of the Certified EIR.

No New Information Showing Ability to Reduce Significant Effects Identified in the Certified EIR

The Addendum analysis substantiates that there are no significant impacts requiring identification of new or additional alternatives to the Addendum Project. The continued implementation of applicable Certified EIR mitigation measures reduce the Project's potentially significant impacts to levels that are less-than-significant.

Summary

The analysis presented in this document substantiates that the analysis presented in the Certified EIR is sufficient to satisfy CEQA requirements for the proposed Addendum Project. That is, with incorporation of mitigation, implementation of the Addendum Project described and evaluated herein will not result in any significant new, different, additional, or substantially increased environmental impacts than were previously considered and addressed in the Certified EIR. As such, environmental assessment of the Addendum Project does not require any major revision of the previously-approved Certified EIR, nor will the development allowed by the Addendum Project result in conditions that would require preparation of further analysis as described in the *CEQA Guidelines*.

5.0 MITIGATION SUMMARY

5.0 MITIGATION SUMMARY

5.1 OVERVIEW

The following Table 5.1-1, *Mitigation and Implementation Summary Matrix*, comprehensively presents mitigation measures incorporated in the Certified EIR, and associated with the development of the Addendum Project described herein.

Within the “Mitigation Measures” column, Mitigation Measures that are no longer required are indicated by ~~strikeout font~~, new Mitigation Measures are indicated by ***bold italic text***. The “Remarks” column identifies status and applicability of Mitigation Measures. Retained or new mitigation measures presented at Table 5.1-1 will be implemented through Project Conditions of Approval or as otherwise deemed appropriate by the City.

At the discretion of the Planning Director, any of the mitigation measures identified at Table 5.1-1 may be modified to respond to conditions and context as they may apply to development proposed by the Addendum Project. Any such discretionary modifications cannot result in any new significant environmental impacts; rather, modifications would ensure compliance and consistency with current City goals, policies, regulations, and development programs/plans.

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
Aesthetics	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.
Agriculture and Forestry Resources	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.
Air Quality	
<p>3-1 The City of Ontario Building Department shall require that all new construction projects incorporate all feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:</p> <ul style="list-style-type: none"> • Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as: <ul style="list-style-type: none"> ○ Requiring use of nontoxic soil stabilizers to reduce wind erosion. ○ Applying water every four hours to active soil disturbing activities. ○ Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials. ○ Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits. ○ Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards. ○ Limiting nonessential idling of construction equipment to no more than five consecutive minutes. ○ Using Super Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super Compliant architectural 	<p>Not Applicable. This is a directive for City staff for implementation during the development approval process; not mitigation measures for the Addendum Project. It is noted that the Addendum Project would not result in air quality impacts not previously addressed as part of the Certified EIR analysis.</p>

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<p>coating manufactures can be found on the South Coast Air Quality Management District's website at: http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf.</p>	
<p>3-2 The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).</p>	<p>Not Applicable. This is a directive for City staff for implementation during the development approval process; not mitigation measures for the Addendum Project. It is noted that the Addendum Project would not result in air quality impacts not previously addressed as part of the Certified EIR analysis.</p>
<p>3-3 The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's Air Quality and Land Use Handbook: A Community Health Perspective (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if all feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.</p>	<p>Not Applicable. This is a directive for City staff for implementation during the development approval process; not mitigation measures for the Addendum Project. It is noted that the Addendum Project would not result in air quality impacts not previously addressed as part of the Certified EIR analysis.</p>
Biological Resources	
<p><i>4-1 Avoidance of Nesting Migratory Birds: If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season, all suitable habitat will be thoroughly surveyed within 72 hours prior to clearing for the presence of nesting birds by a qualified biologist (Project Biologist). The Project Biologist shall be approved by the City and retained by the Applicant. The survey results shall be submitted by the Project Applicant to the City Planning Department. If any active nests are detected, the area shall</i></p>	<p>Applicable. This Measure shall be implemented by the Addendum Project.</p>

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<p><i>be flagged and mapped on the construction plans along with a minimum 300-foot buffer, with the final buffer distance to be determined by the Project Biologist. The buffer area shall be avoided until, as determined by the Project Biologist, the nesting cycle is complete or it is concluded that the nest has failed. In addition, the Project Biologist shall be present on the site to monitor the vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.</i></p>	
<p>4-2 Avoidance of Nesting Burrowing Owls: <i>No more than 72 hours prior to any site disturbances, focused surveys for the burrowing owl shall be conducted. If absence of this species is confirmed, project work can proceed. If however, burrowing owl is located on site, the appropriate resource agencies (CDFW and USFWS) shall be contacted. The Project Applicant shall consult with the wildlife agencies regarding the most appropriate methods and timing for removal of owls. As necessary, owls will be actively evicted following agency approved protocols (i.e., placing a one-way door at the burrow entrance to ensure that owls cannot access the burrow once they leave). Any such active eviction shall occur outside of the breeding/nesting season. That is, active eviction shall be accomplished between September 1 and February 15. If more than 30 days has elapsed between owl eviction and completion of clearing and grubbing activities, a subsequent survey for the burrowing owl shall be conducted to ensure that owls have not re-populated the site. Any reoccupation by owls will require subsequent protocol active eviction.</i></p>	<p>Applicable. This Measure shall be implemented by the Addendum Project.</p>
Cultural Resources	
<p>5-1 Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of development approvals in the Focus Areas.</p>	<p>Not Applicable. This is a directive for City staff to review projects of historic significance. It is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in</p>

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
	cultural resources impacts not previously addressed within the Certified EIR analysis.
<p>5-2 In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:</p> <p>a) Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground disturbing activities.</p> <p>b) Should any cultural/scientific resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director is satisfied that adequate provisions are in place to protect these resources.</p> <p>e) Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.</p>	<p>Not Applicable. This is a directive for City staff to require archaeological and paleontological resource studies as part of the development review process. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in cultural resources impacts not previously addressed within the Certified EIR analysis.</p>
<p>5-3 Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient</p>	<p>Applicable. This Measure would be implemented by the Addendum Project.</p>

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.	
5-4 Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.	Applicable. This Measure would be implemented by the Addendum Project.
Energy	
N/A	
Geology and Soils	
Please refer to Certified EIR Mitigation Measures 5-2 through 5-4, presented previously.	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
Greenhouse Gas Emissions	
<p>6-1 The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State’s efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:</p> <ul style="list-style-type: none"> • Emission Inventories: The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on schedule to achieve the GHG reduction targets, additional measures shall be implemented, as identified in the CAP. • The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community. • The City shall define a “business as usual” scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario. 	<p>Not Applicable. This is a directive for City staff to prepare a Climate Action Plan. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis.</p>

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Emission Targets: The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City: • A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32. • A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions. • A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions. 	
<p>6.2 The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6.1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):</p> <ul style="list-style-type: none"> • Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) 	<p>Not Applicable. This is a directive for City staff during the preparation of the Climate Action Plan. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis.</p>

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<p>standard, or compliance with similar green building rating criteria.</p> <ul style="list-style-type: none"> • Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency. • Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris. • Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling. • Require that cool roofs for non residential development and cool pavement to be incorporated into the site/building design for new development where appropriate. • Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City. • Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City. • Install energy efficient lighting and lighting control systems in all municipal buildings. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Require all new traffic lights installed be energy efficient traffic signals. Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system. • Require all new landscaping irrigation systems installed within the City to be automated, high efficient irrigation systems to reduce water use and require use of bubbler irrigation; low angle, low flow spray heads; or moisture sensors. Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization. • Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions. • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping. • Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking. • Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Facilitate employment opportunities that minimize the need for private vehicle trips, by: • Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. • Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. • Establish policies and programs to reduce onsite parking demand and promote ridesharing and public transit at large events. • Support and promote the use of low and zero emission vehicles, by: • Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. • Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). • Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. • Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas electric hybrid vehicles. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA). • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques. • Support the use of green building practices by: <ul style="list-style-type: none"> • Providing information, marketing, training, and technical assistance about green building practices. • Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development. • Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including: <ul style="list-style-type: none"> • Standards for the installation of "cool roofs". • Standards for improved overall efficiency of lighting systems. 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Requirements for the use of Energy Star appliances and fixtures in discretionary new development. • Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer. • Establish policies and programs that facilitate the siting of new renewable energy generation. • Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. • Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: <ul style="list-style-type: none"> • Conducting energy audits. • Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive window glass. • Implementing an energy tracking and management system for its municipal facilities. • Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. • Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). • Installing Energy Star® appliances and energy efficient vending machines. • Improving water use efficiency, including a schedule to replace or retrofit system components with high efficiency units (i.e., ultra low flow toilets, fixtures, etc.). • Installing irrigation control systems which maximize water use efficiency and minimize off-peak use. • Adopting an accelerated replacement schedule for energy inefficient systems and components. • Insure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including: • Providing energy efficiency training to design, engineering, building operations, and maintenance staff. • Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards. • Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off peak demand schedules for heavy commercial and industrial users. • Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models. • Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators. • Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel. • Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices. • Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and will install or replace vegetation with drought tolerant, low maintenance native species or edible landscaping that can also provide shade and reduce heat island effects. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Implement enhanced programs to divert solid waste from landfill operations, by: • Establishing a diversion target which meets or exceeds AB 939 requirements. • Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced. • Reduce per capita water consumption consistent with state law by 2020. • Establish a water conservation plan that may include such policies and actions as: • Maintaining and refining the City's tiered rate structure for water use. • Establishing restrictions on time of use for landscape watering, or other demand management strategies. • Establishing performance standards for irrigation equipment and water fixtures, consistent with state law. • Establish programs and policies to increase the use of recycled water, including: • Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Ensure that building standards and permit approval processes promote and support water conservation, by: • Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s). • Establishing menus and check lists for developers and contractors to ensure water efficient infrastructure and technology are used in new construction, including low flow toilets and shower heads, moisture sensing irrigation, and other such advances. • Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling dropoff events and neighborhood chipping/mulching days. • Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency. 	
<p>6.3 The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:</p> <ul style="list-style-type: none"> • Increase densities in urban core areas to support public transit, by, among other means: • Removing barriers to the development of accessory dwelling units in existing residential neighborhoods. 	<p>Not Applicable. This is a directive for the City to amend the Municipal Code to reflect certain GHG emission reduction concepts. This is not a mitigation measure for the Addendum Project.</p>

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation. • Add bicycle facilities to city streets and public spaces, where feasible. • Promote infill, mixed use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones. • Plan for and create incentives for mixed use development. • Identify sites suitable for mixed use development and establish appropriate site specific standards to accommodate mixed uses which could include: • Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so. • Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development. • Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops. • Allowing for tandem parking, shared parking and off site parking leases. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Enable prototype mixed-use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling. • Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses. • Revise zoning ordinance(s) to allow local serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use. • Develop form based community design standards to be applied to development projects and land use plans, for areas designated mixed use. • Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non-residential uses within a quarter mile of transit centers or corridors. • Identify transit centers appropriate for mixed-use development, and promote transit-oriented, mixed-use development within these targeted areas, by:- 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Providing maximum parking standards and flexible building height limitations. • Providing density bonus programs. • Establishing guidelines for private and public spaces for transit oriented and mixed use development. • Discouraging auto-oriented development. • Ensure new development is designed to make public transit a viable choice for residents, including: • Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes. • Locating medium to high density development near streets served by public transit whenever feasible. • Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths. • Develop form based community design standards to be applied to development projects and land use plans, for areas designated mixed use. • Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed use and transit oriented development areas, by: 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking. • Encouraging pedestrian only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling. • Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian oriented streetscape. • Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic. • Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage nonmotorized travel. • Ensure pedestrian access to activities and services, especially within, but not limited to, mixed use and transit oriented development areas, by:- • Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, thoroughfares. • Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed use structures. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Locating schools in neighborhoods, within safe and easy walking distances of residences served. • Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear. • Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access. • Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway. • Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards. • Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure. • Reduce heat gain from pavement and other similar hardscaping, by: • Including low water landscaping in place of hardscaping around transportation infrastructure and in parking areas. • Establishing standards that provide for pervious pavement options. • Removing obstacles to natural, drought tolerant landscaping and low water landscaping. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car sharing, bicycling and walking, including, but not limited to: • Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets. • Upgrade and maintain the following transit system infrastructure to enhance public use, including: • Ensuring transit stops and bus lanes are safe, convenient, clean and efficient. • Ensuring transit stops have clearly marked street level designation, and are accessible. • Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate. • Working with transit providers to place transit stations along transit corridors within mixed use or transit oriented development areas at intervals appropriate for the mode of transit. • Facilitate employment opportunities that minimize the need for private vehicle trips, by: • Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate. • Establish standards for new development and redevelopment projects to support bicycle use, including: • Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including: • Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible. • Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including: • Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances. • Establish a network of multi-use trails to facilitate direct off-street bicycle and pedestrian travel, and will provide bike racks along these trails at secure, lighted locations. • Establish policies and programs to reduce onsite parking demand and promote and public transit at large events. • Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels. 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Support and promote the use of low and zero emission vehicles (NEV), by: • Encouraging the necessary infrastructure to facilitate the use of zero emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations. • Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV). • Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes. • Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas electric hybrid vehicles. • Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use. • Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by ALUCP/FAA. • Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such 	

**Table 5.1-1
Mitigation and Implementation Summary Matrix**

Mitigation Measures	Remarks
<p>as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.</p> <ul style="list-style-type: none"> • Support the use of green building practices by: • Establishing guidelines for green building practices in residential and commercial development. • Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices. • Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including: • Standards for the installation of "cool roofs". • Standards for improved overall efficiency of lighting systems. • Requirements for the use of Energy Star appliances and fixtures in discretionary new development. • Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy. • Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible. 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas). • Identify and remove or otherwise address barriers to renewable energy production, including: <ul style="list-style-type: none"> • ⊙ Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers. • ⊙ Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies. • ⊙ Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air. • Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values. • Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate. • Require that, where feasible, all new buildings be constructed to allow for easy, cost effective installation of solar energy systems in the future, using such “solar ready” features as: <ul style="list-style-type: none"> • ⊙ Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south sloped roof surface, where such 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<p>buildings architecture and construction are designed for sloped roofs.</p> <ul style="list-style-type: none"> • Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof. • Roof framing that will support the addition of solar panels. • Installation of electrical conduit to accept solar electric system wiring. • Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank. • Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible. • Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including: <ul style="list-style-type: none"> • Conducting energy audits. • Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low emissive window glass. • Implementing an energy tracking and management system for its municipal facilities. 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Installing energy efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations. • Installing energy efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations. • Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.). • Installing Energy Star® appliances and energy efficient vending machines. • Improving water use efficiency, including a schedule to replace or retrofit system components with high efficiency units (i.e., ultra low flow toilets, fixtures, etc.). • Installing irrigation control systems maximizing water use efficiency and minimizing off-peak use. • Adopting an accelerated replacement schedule for energy inefficient systems and components. • Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as: <ul style="list-style-type: none"> • The Energy Star® New Homes Program established by U.S. EPA. • The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating. 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> • Reduce per capita water consumption consistent with state law by 2020. • Establish a water conservation plan that may include such policies and actions as: • Maintaining and refining the City's tiered rate structure for water use. • Establishing restrictions on time of use for landscape watering, or other demand management strategies. • Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law. • The City will establish programs and policies to increase the use of recycled water, including: • Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation. • Ensure that building standards and permit approval processes promote and support water conservation, by: • Establishing building design guidelines and criteria to promote water efficient building design, including minimizing the amount of non roof impervious surfaces around the building(s). • Establishing menus and check lists for developers and contractors to ensure water efficient infrastructure and technology are used in new 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<p>construction, including low flow toilets and shower heads, moisture sensing irrigation, and other such advances.</p> <ul style="list-style-type: none"> • Install water efficient landscapes and irrigation, including: • Requiring planting drought tolerant and native species, and covering exposed dirt with moisture retaining mulch or other materials such as decomposed granite. • Requiring the installation of water efficient irrigation systems and devices, including advanced technology such as moisture sensing irrigation controls. • Promote the planting of shade trees and establish shade tree guidelines and specifications, including: • Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.). • Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc. • Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun. • Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including: 	

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<ul style="list-style-type: none"> Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low VOC producing trees, and emphasizing the use of drought tolerant native trees and vegetation. 	
<p>6-4 Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).</p>	<p>Not Applicable. This is a directive for City staff to consider Mitigation Measure 6-2 and 6-3 while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis.</p>
<p>6-5 Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.</p>	<p>Not Applicable. This is a directive for City staff to evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis.</p>
<p>6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.</p>	<p>Not Applicable. This is a directive for the City to participate in the County of San Bernardino's Green Valley Initiative. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in GHG impacts not previously addressed as part of the Certified EIR analysis.</p>
Hazards and Hazardous Materials	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.
Hydrology and Water Quality	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
Land Use and Planning	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.
Mineral Resources	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.
Noise	
12-1 Prior to the issuance of building permits for any project that involves a noise sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).	Not Applicable. This is a directive for City staff to require applicants to retain an acoustical engineer to conduct an acoustic analysis. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in noise impacts not previously addressed as part of the Certified EIR analysis.
12-2 Individual projects that involve vibration intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction related vibration is determined to be perceptible at vibration sensitive uses (i.e., exceed the Federal Transit Administration vibration annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration intensive pile driver).	Not Applicable. This is a directive for City staff to require some applicants to study potential vibration on nearby uses. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in noise impacts not previously addressed as part of the Certified EIR analysis.

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
<p>12-3 Prior to the issuance of building permits for any project that involves a vibration sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.</p>	<p>Not Applicable. This is a directive for City staff to require some applicants to study potential railroad vibration on impact certain sensitive use. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in noise impacts not previously addressed as part of the Certified EIR analysis.</p>
<p>12-4 Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise sensitive structures, equipping construction equipment with mufflers, and reducing nonessential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction related noise to the extent feasible.</p>	<p>Not Applicable. This is a directive for City staff to consider temporary sound barriers to reduce construction noise from adjacent uses. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in noise impacts not previously addressed as part of the Certified EIR analysis.</p>
Population and Housing	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.
Public Services	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
Recreation	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.
Transportation	
16-1 The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley Horn and Associates. Table 5.16-6 shows the recommended lane geometry for the Proposed Land Use Plan.	Not Applicable. This is a directive for City staff to assure that the Mobility Element of the Ontario Plan is consistent with the recommendations of the associated traffic study. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in transportation impacts not previously addressed as part of the Certified EIR analysis.
Tribal Cultural Resources	
Please refer to Mitigation Measures 5-3 and 5-4, presented under Cultural Resources.	See earlier remarks.
Utilities and Service Systems	
17-1 The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to: a) Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council). b) Continue to develop and implement drought contingency plans to assist citizens and businesses reduce water use during water shortages and emergencies.	Not Applicable. This is a directive for City staff to assure that a water use efficiency policy is included in the Policy Plan. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in utilities or service systems impacts not previously addressed as part of the Certified EIR analysis.

Table 5.1-1 Mitigation and Implementation Summary Matrix	
Mitigation Measures	Remarks
e) Revise the City Code to include a Water Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water efficient landscaping consistent with AB 325.	
17-2The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual system office and industrial uses in selected urban areas of the City, where available and feasible.	Not Applicable. This is a directive for City staff to assure that a water use efficiency policy is included in the Policy Plan that maximizes the use of recycled water. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in utilities or service systems impacts not previously addressed as part of the Certified EIR analysis.
17-3The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.	Not Applicable. This is a directive for City staff to assure that policy is included in the Policy Plan that requires the City to participate with regional water agency in the pursuit of additional water sources. This is not a mitigation measure for the Addendum Project. It is noted that the Addendum Project would not result in utilities or service systems impacts not previously addressed as part of the Certified EIR analysis.
Wildfire	
N/A	No mitigation was included within the Certified EIR; No mitigation is required of the Addendum Project.

ATTACHMENT A
Air Quality, GHG, and HRA

ATTACHMENT B
Biological Reports

ATTACHMENT C

Hydrology Report

APPENDIX D
Noise Impact Assessment

APPENDIX E
Trip Generation Analysis



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PMTT19-018

DESCRIPTION: A Tentative Parcel Map (TPM 20177) to subdivide approximately 20 acres of land into 7 parcels located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed CC (Community Commercial) and IL (Light Industrial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

TOSCANA SQUARE, LLC., (herein after referred to as “Applicant”) has filed an application requesting Tentative Parcel Map approval, File No. PMTT19-018, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of approximately 20 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Mixed Use	SP (Specific Plan)	Residential & Commercial (Tuscana Village Specific Plan)
<i>North:</i>	Vacant/Vineyard/ Winery	Mixed Use	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) & CC (Community Commercial)	
<i>South:</i>	Vacant	General Commercial	SP (Specific Plan)	Community Commercial (Edenglen Specific Plan)
<i>East:</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)	
<i>West:</i>	Nursery/SCE Easement	OS-NR (Open Space – Non Recreation)	UC (Utilities Corridor)	

(2) **Project Description:**

(a) Background — The Tuscana Village Specific Plan (File No. PSP09-001) and related Mitigated Negative Declaration (“MND”) were approved by the City Council on June 5, 2012. The Tuscana Village Specific Plan established the land use designations, development standards, and design guidelines for the 20-acre Project site. The specific plan allowed for the potential development of 200 residential dwelling units and approximately 871,000 square feet of commercial development. The applicant has requested that the City rescind the Tuscana Village Specific Plan, eliminate the existing residential land use designation, reduce the amount of commercial designated property, and incorporate an industrial land use designation to facilitate the construction of the proposed industrial and commercial development, described below.

On October 9, 2019, the applicant submitted six applications to facilitate the development of the proposed industrial and commercial development, which include:

- A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use, to 7.6 acres of General Commercial and 33.75 acres of Industrial designated properties.
- A Specific Plan Amendment (File No. PSPA19-010) to rescind of the Tuscana Village Specific Plan.
- A Zone Change (File No. PZC19-002) on 41.35 acres of land to change the zoning designations from LDR-5 (Low Density Residential), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of (Community Commercial) designated properties.
- A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels within the proposed CC (Community Commercial) and IL (Light Industrial) zoning districts.
- A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on approximately 13 acres of land within the proposed IL (Light Industrial) zoning district.

On April 24, 2020, the applicant submitted a Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and an ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license) on 1.27 acres of land located within the proposed CC (Community Commercial) zoning district.

On June 3, 2020, the applicant submitted a Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land located within the proposed CC (Community Commercial) zoning district.

(b) Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the Project site into 7 numbered lots and one lettered lot (see Exhibit B—Tentative Parcel Map, attached) to facilitate the construction of three industrial buildings totaling 295,991 square feet. The parcels are located within two proposed zoning districts and range in size from 0.99 to 7.93 acres, as shown in the Tentative Parcel Map summary table, below.

Tentative Parcel Map 20177 Summary Table				
Parcel No.	Proposed General Plan Land Use Designation	Proposed Zoning District	Proposed Project File No. / Land Use	Acres
1	Industrial	IL (Light Industrial)	PDEV19-059 Industrial	2.8
2	Industrial	IL (Light Industrial)	PDEV19-059 Industrial	2.5
3	Industrial	IL (Light Industrial)	PDEV19-059 Industrial	7.93
4	General Commercial	CC (Community Commercial)	PDEV20-012 Commercial (7-Eleven)	1.27
5	General Commercial	CC (Community Commercial)	No project submittal Commercial	0.57
6	General Commercial	CC (Community Commercial)	No project submittal Commercial	0.99
7	General Commercial	CC (Community Commercial)	PDEV20-013 Commercial (Starbucks)	1.18
	Street Dedication			2.76
Total				18.82

(c) Site Access/Circulation — The proposed Tentative Parcel Map (File No. PMTT19-018) will facilitate the construction of internal public/private streets (“A” Street and “B” Street) and common drive aisles that will serve the commercial and industrial land uses of the overall Project site. Proposed, is a 40-foot wide public street (“A” Street - 66-foot right-of-way) that runs north-south through the Project site and is accessed from Riverside Drive, approximately 600 feet west of Milliken Avenue. The public street is proposed to extend north, beyond the Project site and terminate at a cul-de-sac to be constructed with future development, as shown on Exhibit C—Conceptual Site Plan. A private street (“B” Street) is proposed along the northern property line which runs east-west, with access from Milliken Avenue located approximately 800 feet north of Riverside Drive. “B” Street intersects with “A” Street and transitions into a drive-aisle, west of “A” Street. The commercial and Industrial portion of the Project site will have three access points from Riverside Drive (2 driveways and “A” Street), and two access points from Milliken Avenue (“B” Street and driveway).

(d) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system within the tractor-trailer courtyard areas of each building and parking lots. Any overflow drainage will be conveyed to a storm drain connection located at the south end of the Project site.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the EIR Addendum prepared for General Plan Amendment (File No. PGPA18-002) and an amendment to the Edenglen Specific Plan (File No. PSPA18-003), which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as “DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be

consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, as the first action on the Project, on October 19, 2020, the DAB issued a Resolution recommending the Planning Commission recommend approval to the City Council of the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, the subject Tentative Parcel Map (File No. PMTT19-018) Application was filed in conjunction with: [1] A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use (Hamner/SR-60 Area 12) to 7.6 acres of General Commercial and 33.75 acres of Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; [2] A Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan; [3] A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial); [4] A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on 13.19 acres of land; [5] A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license), on 1.27 acres of land; [6] A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land; and

WHEREAS, approval of this Project is contingent upon the City Council approving a General Plan Amendment (File No. PGPA19-00), rescinding the Tuscana Village Specific Plan (File No. PSPA19-010), a Zone Change (File No. PZC19-002) and an EIR Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), which was certified on January 27, 2010; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

Senate Bill 330 – Housing Accountability Act (Government Code Section 65589.5 et seq.) (“SB 330”) was passed by the California Legislature, signed by the Governor and became effective on January 1, 2020. The bill is the result of the Legislature’s extensive findings regarding the California “housing supply crisis” with “housing demand far outstripping supply.”

SB 330 amends Government Code Sections 65589.5, adds Govt. Code Sections 65940, 65943 and 65950, and repeals and readopts Sections 65906.5, 65913.10 and 65941.1. To summarize, no city may disapprove a residential housing development project for low- to moderate-income households (as defined therein) unless it makes a finding that the housing development project “would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households...” such as where the housing development project is proposed on land “which does not have adequate water or wastewater facilities to serve the project.” (Government Code Section 65589.5(d)(2), (4)).

In addition, the legislation adds Chapter 12 to Division 1 of Title 7 of the Government Code (Section 66300 et seq.) that applies to “affected cities,” which are identified as cities in urbanized areas as determined by the most recent census. In accordance with SB 330, the Department of Community Development and Housing (“HCD”) has prepared a list of affected cities and has determined that Ontario is an “affected city.” Therefore, pursuant to Government Code section 66300(b)(1)(A) and (b):

(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018...”

except when approved by HCD or when the following exception is set out in Govt. Code § 66300(i)(1) applies:

(i) (1) This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.

As discussed in the Background section of the staff report, a General Plan Amendment (GPA) is proposed to change the site's land use designations from Mixed-Use to General Commercial and Industrial. The GPA would eliminate the Mixed Use allowable housing, thereby theoretically eliminating 185 units (as allocated by TOP LU-03 Build-out Table, which had an assumed density of up to 25 dwelling units per acre).

To address the removal of 185 low-moderate residential units at a density of 25 dwelling units per acre and demonstrate a "no net loss," and demonstrate the Project is in compliance with provisions of Section 66300(i)(1) have been met and there is no net loss of residential capacity. On December 17, 2019, the City Council approved an Amendment to the Meredith International Centre Specific Plan (File No. PSPA19-002) to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard. The Meredith International Centre Specific Plan is listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The Specific Plan allowed 800 dwelling units at a density of 37 dwelling units per acre, which have all been constructed. The Specific Plan amendment approved in December 2019 provides for an additional 925 residential units at a density of 41 dwelling units per acre, which will add 925 units to the Available Land Inventory Table. The Addendum to the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020), approved on December 17, 2019, supports that change in the Specific Plan, which results in a surplus of 925 residential units within the City. On March 30, 2020, the City Council approved a General Plan Amendment to TOP Policy Plan Future Buildout Table (Exhibit LU-03) to reflect the addition of 925 residential units, assumed density and intensity for the Mixed-Use/Meredith section of the Buildout Table. The loss of 185 units under the current Policy Plan designation will be directly offset by the addition of 925 units, resulting in a no net loss of residential units.

SECTION 2: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and

determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) ***The proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the proposed Industrial and General Commercial land use districts of the Policy Plan Land Use Map, and the proposed Light Industrial and Community Commercial zoning district. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the Project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) ***The design or improvement of the proposed Tentative Tract/Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract/Parcel Map is located within the proposed Industrial and General Commercial land use districts of the Policy Plan Land Use Map, and the proposed Light Industrial and Community Commercial zoning districts. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the Project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) ***The site is physically suitable for the type of development proposed.*** The Project site meets the minimum lot area and dimensions of the proposed Light Industrial and Community Commercial zoning districts, and is physically suitable for the type of commercial and industrial development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The Project site is proposed for commercial and industrial development at a floor area ratio of 0.52. The Project site meets the minimum lot area and dimensions of the Light Industrial

and Community Commercial zoning districts and is physically suitable for this proposed density / intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The Project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the street widening and right-of-way improvements existing or proposed on the Project site, are not likely to cause serious public health problems, as the Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or Project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the Project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 4: City Council Required Actions. Approval of this Project is contingent upon City Council approving a General Plan Amendment (File No. PGPA19-007), Zone Change (File No. PZC19-002), Specific Plan Amendment (File No. PSPA19-010), and an EIR Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) that was certified on January 27, 2010.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside,

void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

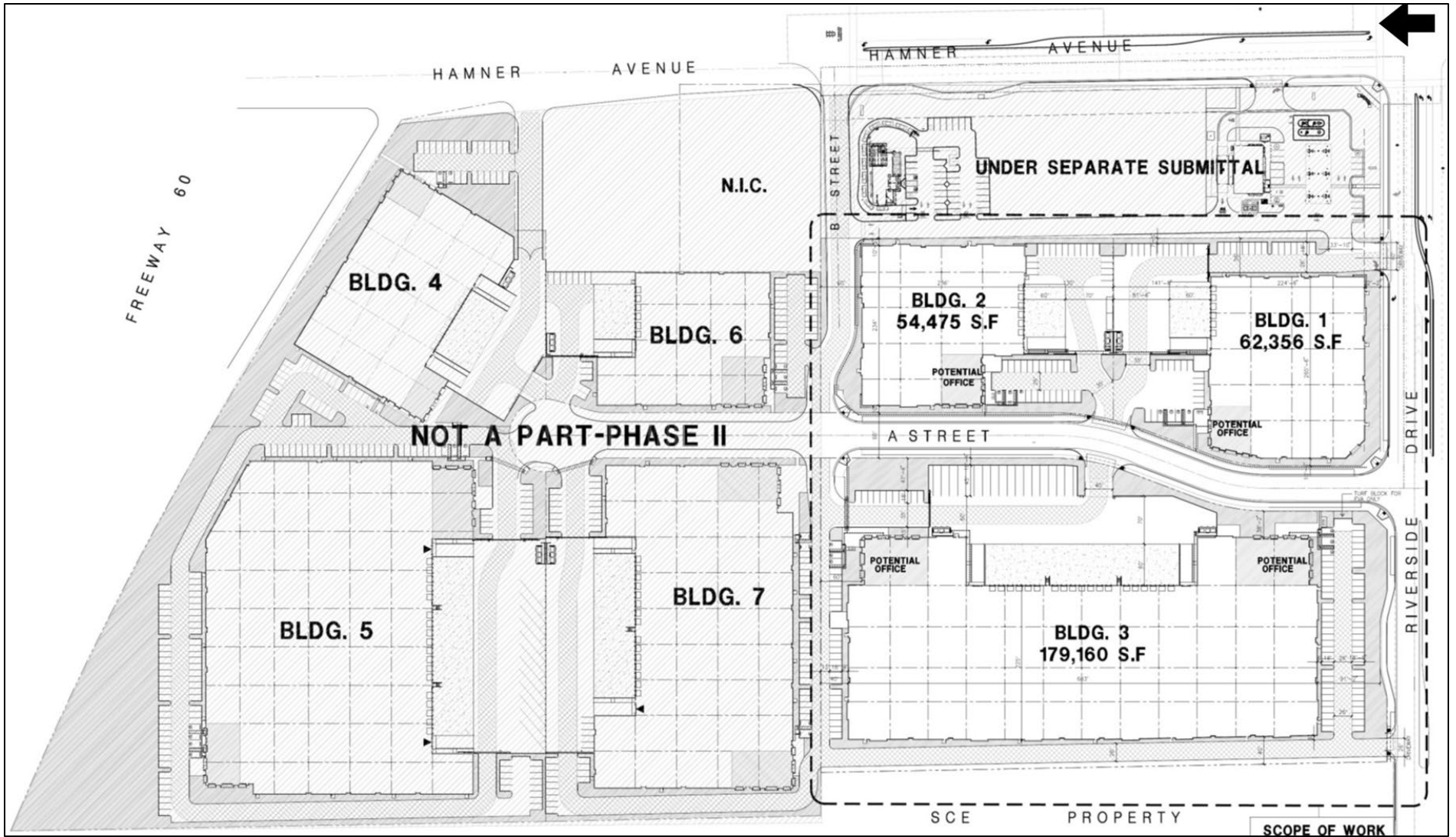
APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit C—CONCEPTUAL SITE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PMTT19-018

Related Files: PGPA19-007, PZC19-002, PSPA19-010, PDEV19-059, PDEV20-012, PDEV20-013 and PCUP20-009

Project Description: A Tentative Parcel Map (TPM 20177) to subdivide approximately 20 acres of land into 7 parcels located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed CC (Community Commercial) and IL (Light Industrial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Parcel Map on file with the City. Variations from the approved Tentative Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.4 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not

occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.5 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.6 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.7 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.8 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures

followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

(g) Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.9 Additional Requirements.

(a) The Tentative Parcel Map shall not be final and conclusive until the General Plan Amendment (File No. PGPA19-007), the Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan and Zone Change (File No. PZC19-002) are approved by the City Council.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20177 RELATED FILE NO(S). PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20177, a Tentative Parcel Map to subdivide 20 acres of land into eight (8) lots within the Tuscana Village Specific Plan

LOCATION: Northwest corner of Milliken Avenue and Riverside Drive

APPLICANT: Orbis Real Estate Partners

REVIEWED BY:  10-9-20
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  10-9-20
Khoi Do, P.E. Date
City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:**
 - A. Riverside Dr to the ultimate half street right-of-way width of 54 feet along the project frontage from the westerly project frontage to "A" St
 - B. Riverside Dr to the ultimate half street right-of-way width of 64 feet along the project frontage from the "A" St to Milliken Ave
 - C. Developer/Applicant shall exercise reasonable effort to procure ultimate half street right-of-way of 54 feet of right-of-way on Riverside Dr along the property frontage of the existing nursery adjacent to the westerly project boundary. Right-of-way is required to construct street improvements required per COA 2.17, herein. Right-of-way shall be dedicated to the City from the property owner of the existing nursery adjacent to the westerly project boundary.
 - D. Milliken Ave to the ultimate half street right-of-way width of 71 feet along the project frontage
 - E. "A" St to the ultimate full street right-of-way width of 66 feet along the project frontage
 - F. Property line corner 'cut-back' required at all street intersections within the project boundaries. This includes, but is not limited to, the intersection of Milliken Ave and "B" St (private).

- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - A. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Riverside Dr west of "A" St.
 - B. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Milliken Ave south of "B" St (private).
 - C. 25 feet wide easement for public utility purposes along "B" St (private) from "A" St to Milliken Ave. See COA 2.29A and 2.34B.
 - D. Easement for traffic signal purposes at the intersection of Milliken Ave and "B" St (private). Location and dimensions shall be determined during the plan check process.

- 1.03 Restrict vehicular access to the site as follows:** _____

- 1.04 Vacate the following street(s) and/or easement(s):**
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.**



- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.

- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.

- 1.11 Provide a preliminary title report current to within 30 days.

- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.

- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).



- 1.14 Other conditions:**
- A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
 - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20177 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.**
- 2.05 Apply for a:** Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.**
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.**
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)



Other:

- **City of Eastvale – for any improvements encroaching into their right-of-way**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- _____ feet on _____
- Property line corner 'cut-back' required at the intersection of _____
and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- _____
- 2.12 New Model Colony (NMC) Developments:
- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
- 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
- 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$389,850, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
- A. **Obtain a private access easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**
- B. **Obtain a temporary construction easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Riverside Drive	Milliken Avenue	"A" Street	"B" Street (private)
Curb and Gutter	<input checked="" type="checkbox"/> New; 42-52 ft. varies from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 58 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 20 ft. from C/L, east & west along project frontage <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 27-37 additional feet varies along frontage, including pavm't transitions (B, C)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 37 additional feet along frontage, including pavm't transitions (D)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New (E) <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (F) <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input checked="" type="checkbox"/> New (F) <input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> New (G) <input checked="" type="checkbox"/> Trees (G) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (G)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. 42 ft. from C/L (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 52 ft. from C/L (limits are from "A" St to Milliken Ave)
- B. 27 ft. additional widening (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 37 ft. additional widening (limits are from "A" St to Milliken Ave)



- C. A raised landscape median is required on the south side. Please note, if the existing Riverside Dr pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- D. A raised landscape median is required on the east side (City of Eastvale may require additional improvements). Please note, if the existing Milliken Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- E. Required at the following proposed signalized intersections:
 - i. Milliken Ave and Riverside Dr
 - ii. Milliken Ave and "B" St (private)
- F. Limits are approximately 275 feet west of the westerly project frontage to Milliken Ave
- G. These improvements are partially in the City of Ontario and City of Eastvale.
- H. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 275 feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - A. Sewer Sub-Area Master Plans (SSAMP): The Conceptual Sewer Study dated 4/30/2020 is currently under review and has not been approved. Revise the Conceptual Sewer Study to include all public sewer infrastructure that will be designed by the project and convert it to a Final SSAMP pursuant to Section 4-8 of the Sewer Master Plan (SMP). The revised study shall demonstrate that the sewer criteria of the SMP (Sections 4-2 to 4-5) has been met and shall be submitted to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.
 - B. Install 8-inch sewer main (or approved size per Final SSAMP) in Riverside Dr, with a point of connection to the existing 10-inch sewer main on Riverside Dr west of the project boundary and extending north to Milliken Ave, then north on Milliken Avenue to the sewer service connection for Parcel 7.
 - C. Install 8-inch sewer main (or approved size per Final SSAMP) in "A" St, connecting to the new sewer main at the intersection of "A" St and Riverside Dr and extending north to the northerly project limits. See Conceptual Utility Systems Map, dated 09/17/2020 for



reference.

- D. All parcels shall have a separate sewer service connected to a public sewer main.
- E. Install sewer monitoring manhole for each proposed building per city standard 2203 at the immediate back of the property line, on private property and maintain a 10' pre and post straight pipe run. The pre and post pipe is to have the range slope from 0.4% to maximum 2.0%.

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Riverside Dr and an 18-inch water main is available for connection by this project in Milliken Ave. (Ref: Water plan bar code: W12297, W12299)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - A. Install a 12-inch water main in "A" St, with a point of connection to the existing 12-inch 1010PZ potable water main at the intersection of Riverside Dr and "A" St, and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to a point of connection to the existing 18-inch 1010PZ potable water main in Milliken Ave. See Conceptual Utility Systems Map, dated 09/17/2020 for reference.
 - B. Install a meter and backflow device for domestic water service. Install a double check detector assembly (DCDA) for the proposed fire service.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions:
 - A. Install 8-inch 1050 PZ recycled water main in Riverside Dr with a point of connection to the existing 8-inch recycled water main in Riverside Dr, west of the project boundary, and extending to the intersection of Milliken Ave and Riverside Dr.
 - B. Install 8-inch recycled water in "A" St connecting to the new recycled water main at the intersection of "A" St and Riverside Dr and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to the service connection for Parcel 7. See Conceptual Utility Systems Map, dated 09/17/2020.
 - C. Install any additional public recycled water mains on Riverside Dr or Milliken Ave needed to provide recycled water service for Parcels 5 and 6 at the time of development of those parcels.



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
- A. It is to be noted that the Riverside Dr street section from the "A" St to Milliken Ave requires additional right-of-way to accommodate the additional turn lanes based on The Ontario Plan enhanced intersection requirements for Riverside Dr and Milliken Ave.
 - B. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that the striping and median alignment is consistent along Milliken Ave through the intersection of Riverside Dr.
 - C. The proposed intersection of "B" St (private) shall be aligned with the drive approach on the east side of Milliken Ave.
 - D. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that "A" St along Riverside Drive is correctly aligned with the development on the south side.
 - E. Design and construct a new traffic signal system at "B" St and Milliken Ave to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - F. Design and construct a new traffic signal system at "A" St and Riverside Dr to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - G. Design and construct modifications to the existing traffic signal on Milliken Ave and Riverside Dr. The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 - H. Design and construct a raised median on Riverside Dr and Milliken Ave along the project frontage.
 - I. All project driveways, with exception of "A" St and "B" St (private), shall be limited to right-in/right-out access only. Design and construct signing and striping improvements to render said restriction enforceable.
 - J. Design and construct a bus turnout on Riverside Dr west of "A" St, in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - K. Design and construct a bus turnout on Milliken Ave south of "B" St (private), in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - L. Modify signing and striping on Riverside Drive and Milliken Ave beyond project limits to accommodate frontage widening improvements
 - M. Riverside Dr shall be signed "No Parking Anytime". Milliken Ave shall be signed "No Stopping Anytime". "A" St shall be signed "No Stopping Anytime" along the property frontage. "B" St (private) shall be signed "No Stopping Anytime" along the property frontage.
 - N. Design and construct in-fill public street lights along project frontages of Riverside Dr, Milliken Ave, and "A" St in accordance with City of Ontario Standards and the Traffic and Transportation Design Guidelines, Section 1.4.
 - O. Engineer-of-record shall meet with City Engineering staff prior to starting



signing/stripping, street lighting, and signal design.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____, (Ref: Storm Drain plan bar code: _____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.**
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**
- A. **Design and construct a 42" storm drain line on Riverside Dr from Milliken Ave to the westerly project limits connecting to existing 48" storm drain line.**
 - B. **Design and construct a 42" storm drain line on "A" St from the northerly project limits to Riverside Dr.**
 - C. **The existing 48" storm drain in Riverside Dr is currently not connected to the County Line Channel. The ultimate system in Mill Creek Avenue is not constructed at this time. In the interim, the Developer/Applicant shall design and construct a temporary storm drain system for storm water detention on-site, to the satisfaction of the City Engineer (See COA 2.40, above).**
 - D. **The temporary storm water detention system shall be a private system. The Developer/Applicant shall be responsible for maintaining the temporary system. A surety bond shall be provided to secure construction of the temporary system and a 10 year operations and maintenance period, or until the ultimate storm drain and connection to the County Line Channel is complete and the ultimate storm drain system becomes available.**

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.



- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Riverside Dr, Milliken Ave, and "A" St.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 **Other conditions:**
 - A. Integrated Waste and Organics Recycling: This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341 and the Integrated Waste Department.**
 - i. Organics Separation and Collection: Organic waste shall be diverted and collected separately from recycling and other refuse wastes.**
 - ii. Install a three (3) Bin Trash Enclosure (a separate 4CY bin for refuse, recycling, and organic waste) for each proposed building, at a minimum. Submit volumetric calculations with the SWHP for each proposed site in order to determine the actual numbers of bins and trash enclosures.**
 - B. Final Solid Waste Handling Plan (SWHP): Prior to issuance of any permits, submit a Final Solid Waste Handling Plan as part of the Precise Grading Plan submittal that meets all of the City's SWHP requirements for OMUC review and approval. The Final SWHP shall reflect any site design changes needed to comply the final conditions of**



- approval.
- C. **Final Integrated Waste Management Report (IWMR):** Prior to issuance of any permits, submit a Final IWMR with the Precise Grading Plan that meets all of the City's IWMR requirements for OMUC review and approval.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013, and/or Parcel Map No. 20177

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: November 7, 2019

SUBJECT: PMTT19-018 – A Tentative Parcel Map (PM 20177) to subdivide 20 acres of land into 8 lots located at the northwest corner of Milliken Avenue and Riverside Drive, within the Commercial and Residential land use districts of the Tuscana Village Specific Plan (APNs: 1083-361-01, 1083-361-03, 1083-361-04, and 1083-361-07). Related Files: PGPA19-007, PZC19-002, and PDEV19-059.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 23, 2019
SUBJECT: PMTT19-018

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PGPA19-07,ZC19-02,PSPA19-10,PMTT19-18,PDEV19,059,20-12, 13&PCUP20-9
 Address: NWC of Riverside Drive and Milliken Avenue
 APN: 1083-361-01, 1083-361-04 & 1083-361-07
 Existing Land Use: Vacant/Agriculture/Winery and restaurant
 Proposed Land Use: GPA (ZC) from Mixed Use (SP, LDR-5 & CC) to GC (CC) & Ind (IL); SPA to rescind an SP; TPM sub. 20 acres into 7 parcels; PDEV for 3 Ind. & 2 Comm Bldgs
 Site Acreage: 41.35 acres Proposed Structure Height: 45 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 4/6/16
 CD No.: 2020-014
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft plus</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV19-059

DESCRIPTION: A Development Plan to construct 3 industrial buildings totaling 295,991 square feet on 13 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed IL (Light Industrial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

TOSCANA SQUARE, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV19-059, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of approximately 13 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Mixed Use	SP (Specific Plan)	Residential & Commercial (Tuscana Village Specific Plan)
<i>North:</i>	Vacant/Vineyard/Winery	Mixed Use	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) & CC (Community Commercial)	
<i>South:</i>	Vacant	General Commercial	SP (Specific Plan)	Community Commercial (Edenglen Specific Plan)
<i>East:</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)	
<i>West:</i>	Nursery/SCE Easement	OS-NR (Open Space / Non-Recreation)	UC (Utilities Corridor)	

(2) **Project Description:**

(a) Background — The Tuscana Village Specific Plan (File No. PSP09-001) and related Mitigated Negative Declaration (“MND”) were approved by the City Council on June 5, 2012. The Tuscana Village Specific Plan established the land use designations, development standards, and design guidelines for the 20-acre Project site. The specific plan allowed for the potential development of 200 residential dwelling units and approximately 871,000 square feet of commercial development. The applicant has requested that the City rescind the Tuscana Village Specific Plan, eliminate the existing residential land use designation, reduce the amount of commercial designated property, and incorporate an industrial land use designation to facilitate the construction of the proposed industrial and commercial development, described below.

On October 9, 2019, the applicant submitted six applications to facilitate the development of the proposed industrial and commercial development, which include:

- A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use, to 7.6 acres of General Commercial and 33.75 acres of Industrial designated properties.
- A Specific Plan Amendment (File No. PSPA19-010) to rescind of the Tuscana Village Specific Plan.
- A Zone Change (File No. PZC19-002) on 41.35 acres of land to change the zoning designation from LDR-5 (Low Density Residential), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of (Community Commercial) designated properties.
- A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels within the proposed CC (Community Commercial) and IL (Light Industrial) zoning districts.
- A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on approximately 13 acres of land within the proposed IL (Light Industrial) zoning district.

On April 24, 2020, the applicant submitted a Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and an ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license) on 1.27 acres of land located within the proposed CC (Community Commercial) zoning district.

On June 3, 2020, the applicant submitted a Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land located within the proposed CC (Community Commercial) zoning district.

(b) Site Design/Building Layout — Proposed, is the construction of three industrial buildings totaling 295,991 square feet on three rectangular-shaped lots totaling 13.19 acres in area. The building sizes range from 54,475 to 179,160 square feet and the Project has an overall Floor Area Ratio (“FAR”) of 0.52.

The proposed buildings occupy the western portion of the Project site. Buildings 1 and 2 are located east of “A” Street and Building 3 is located west of “A” Street (see Exhibit B—Site Plan, attached). A description of each building is provided below.

- Building 1 (Parcel 1) is located at the southeast corner of Riverside Drive and “A” Street and consists of a 62,356 square foot warehouse/distribution building, having a FAR of 0.51. Building 1 is oriented east-west, with dock-high loading doors and the building’s office entry facing north. The building has been designed with one office area located at the northwest corner of the building.

The building is setback approximately 10 feet from the west property line (“A” Street), approximately 22 feet from the south property line, approximately 140 feet from the north property line, and 56 feet from the east property line. Building 1 parking lots are located along the east property line and at the northwest corner of the parcel, adjacent to the office area.

The yard area will be screened from view of public streets to the south, by the proposed building. Street views from the east and west are mitigated by 14-foot high screen walls with view-obstructing gates.

- Building 2 (Parcel 2) is located at the northeast corner of “A” and “B” Streets and consists of a 54,475 square foot warehouse/distribution building, having a FAR of 0.50. Building 2 is oriented east to west, with dock high loading doors facing south. The office entry is located at the southwest corner of the proposed building.

The proposed building is setback approximately 60 feet from the north property line (facing “B” Street), approximately 30 feet from the south property line, approximately 10 feet west property line (facing “A” Street), and approximately 10 feet from the east property line. Building 2 parking lots will be located along the east property line and at the southwest corner of the parcel, adjacent to the office area.

The yard area will be screened from view of public streets on the north, by the proposed building. Street views from the east and west are mitigated by 14-foot high screen walls with view-obstructing gates.

- Building 3 (Parcel 3) is located at the southwest corner of Riverside Drive and “A” Street, and occupies the western portion of the industrial Project site, directly east of Buildings 1 and 2. Building 3 consists of a 179,160 square foot warehouse/distribution building, having a FAR of 0.52. Building 3 is oriented north-south, with dock-high loading doors facing east. Office entries are located at the southeast and northeast corners of the proposed building.

The proposed building is setback approximately 40 feet from the north property line, approximately 90 feet from the south property line (facing Riverside Drive), and 40 feet from the west property line (facing Creekside Residential Community).and the setback

from the east property line (facing “A” Street), varies from approximately 38 feet to 180 feet. Off-street parking for Building 3 is provided along the southern and northern property lines, adjacent to each office area.

The tractor-trailer yard area will be screened from view of public streets by a 14-foot high screen wall, with view-obstructing gates. In addition, the east facing portion of the building was designed in a U-shaped configuration. The building wall containing the dock-high doors is recessed approximately 70 feet behind the main building line, abating possible views of any loading activities from the public street.

(c) Site Access/Circulation — The Tentative Parcel Map (File No. PMTT19-018) submitted in conjunction with the subject Application, will facilitate the construction of internal public/private streets (“A” Street and “B” Street) and common drive aisles that will serve the overall Project site. Proposed is a 40-foot wide public street (“A” Street - 66-foot right-of-way) that runs north-south through the Project site and is accessed from Riverside Drive, approximately 600 feet west of Milliken Avenue. The public street is proposed to extend north, beyond the Project site and terminate at a cul-de-sac to be constructed with future development, as shown on Exhibit C—Conceptual Site Plan. A private street (“B” Street) is proposed along the northern property line which runs east-west, with access from Milliken Avenue located approximately 800 feet north of Riverside Drive. “B” Street intersects with “A” Street and transitions into a drive-aisle, west of “A” Street.

The Industrial portion of the Project site will have three access points from Riverside Drive (2 driveways and “A” Street), and one access point from Milliken Avenue (“B” Street). Buildings 1 and 2, will have access from “A” Street, via a 50-foot wide shared driveway, centrally located between Parcels 1 and 2. Building 1 has a secondary access point from Riverside Drive, via a 40-foot wide driveway located at the southeast corner of the parcel, approximately 250 feet west of Milliken Avenue.

Building 3 has access from “A” Street, via a 40-foot wide driveway centrally located for tractor-trailer access via a 40-foot wide driveway located at the northeast corner of Parcel 3. Building 3 has a third access point from Riverside Drive, via a 26-foot wide driveway located at the southwest corner of Parcel 3. Due to the expansive width and length of Building 3, a 26-foot wide connecting drive-aisle is proposed along the western and northern property lines, to meet fire emergency access lane requirements.

(d) Parking — The Project has provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The Project requires a total of 186 parking spaces, as shown in Table A: Parking Summary, below, which has been provided.

Table A: Parking Summary						
Bldg. No.	Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
			Required	Provided	Required	Provided
1	Warehouse / Distribution	62,356 SF	1	1	44	44

2	Warehouse / Distribution	54,475 SF	1	1	42	42
3	Warehouse / Distribution	179,160 SF	5	17	100	100
Parking Totals:					186	186

(e) Architecture — The proposed buildings are of concrete tilt-up construction and all five buildings incorporate the same architectural design theme, incorporating enhanced elements and treatments at office entries and along street facing elevations (see Exhibit C—Elevations, attached). Architectural elements for all buildings include smooth-painted concrete in white, grey, and tan tones, with horizontal and vertical reveals, storefronts with clear anodized aluminum mullions and blue glazing, metal canopies, arched windows at the main office entries, and recessed panel sections with contrasting colors. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code and Edenglen Specific Plan. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building’s entries and breaks up large expanses of building wall;
- Variations in building massing; and
- Incorporation of base and top treatments defined by changes in color and horizontal/vertical reveals

(f) Landscaping — The Project provides an overall landscape coverage of 15 percent, consisting of 15.9 percent for Building 1, 13.6 percent for Building 2, and 15.1 percent for Building 3. The Project provides substantial landscaping along Riverside Drive, “A” Street, “B” Street, at each office element, throughout the parking areas, and along the western property line (see Exhibit D—Landscape Plan, attached). The Project includes right-of-way improvements (street widening, curb, gutter, sidewalk, and parkway) along Riverside Drive. The proposed on-site and off-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the Project site.

The landscape plan incorporates 24 and 36-inch box shade trees in the right-of-way, including London Plane trees along Riverside Drive and Tipuana Tipu trees on “A” Street. A combination of 48-inch, 36-inch, 24-inch box, and 15-gallon accent and shade trees will be provided on the Project site, the tree species include Paperbark, Chinese Elm, Holly Oak, Crape Myrtle, Southern Live Oak and Mondell Pine Trees. The landscape plan also includes a variety of shrubs, grasses, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, each building will incorporate either one or two employee break areas, with benches, tables, and shade trees.

(g) Community Meetings — The Planning Department conducted a virtual community meeting via Zoom, to discuss the proposed subject applications. Eleven members of community logged into the Zoom meeting and 6 residents provided comments/questions during the meeting. Additionally, the Planning Department received two emails in opposition to the proposed Project. Below is a list of concerns raised by the community.

(i) The lack of viable/substantial commercial shopping centers (grocery stores and full-service restaurants) in the immediate area. In addition, the reduction of commercial land areas will result in substandard commercial uses, such as gas stations, convenience stores and fast-food restaurants. Residents commented that the retail viability studies focus on short term conditions instead of long-term neighborhood serving commercial.

The applicant provided a retail market study prepared by The Concord Group (Dated: December 19, 2019). The Market Study focused on achievable rental rates based on current and historical retail trends. The study looked at land uses, number of households, traffic within a 1, 3, and 5-mile radius from the Project site, which concluded that retail demand was insufficient and could not be supported at the Project site, due to lack of demand and an oversupply of retail space. Supported uses included a gas station and fast-food restaurants, due to traffic counts associated with the 60 freeway on/off ramps located north of the Project site.

(ii) Opposition to the GPA and SPA that would allow the construction of large industrial buildings adjacent to the Creekside community. Residents want to preserve the existing General Plan land use designation of Mixed-use and the Tuscana Village Specific Plan to remain in place.

In response to community comments, the buildings have been designed to have an office-like appearance and the western building elevation has been enhanced to provide an attractive view from the adjacent residential development. Large plant/trees will be used along the western property line to create a more visually appealing view from the residential community. The landscape planter along the western property line is approximately 7 feet wide. Additional landscape planters are provided directly adjacent to Building 3, approximately 6 to 12 feet wide.

(iii) With the recent Planning Commission approval of the Crowe industrial project to the south, concerns were raised about the potential concentration of industrial uses adjacent to both the Edenglen and Creekside communities.

(iv) Opposition to the proposed 7-Eleven, gas station, and the proposed CUP for off-sale beer and wine within proximity to Colony High School and residential land uses.

The service of alcoholic beverage sales is intended for customers 21 years of age and over only. The Applicant has been given Police Department Conditions of Approval and ABC regulations, including but not limited to the following: hours of operation; alcoholic beverage sales designated area; age restrictions; and training class or a certified responsible beverage service class within six months for all employees.

(v) Overall issues related to noise, air quality, and truck traffic near existing residential neighborhoods and schools.

In response to community comments/concerns, the related Development Plan (File No, PDEV19-059) has been designed to minimize noise impacts to the residents. The truck yard for Building 3 has been oriented away from the western property line and faces east. This design feature, in conjunction with the 270-foot SCE utility corridor that separates the proposed Project from residential properties to the west, will substantially diminish any noise impacts to the adjacent residential community.

A noise study was completed by Urban Crossroads (October 2020) that analyzed operational noise impact increases along the eastern property line of the Creekside residential community. Urban Crossroads measured existing noise levels on October 10, 2019 and modeled the increased noise that will be generated by the proposed operations at the property. The study concluded that the operation of a typical warehouse distribution center would be up to 39 dBA less than the City Standards (65 dBA daytime and 45 dBA nighttime). Furthermore, the placement of the buildings will assist in the reduction of traffic noise that currently exist from Milliken Avenue and help reduce wind and dust impacts on the existing residential community, from seasonal Santa Ana winds.

(vi) Inquiries were expressed regarding the proposed infrastructure, street improvements, bike lanes, and any proposed pedestrian connections to the San Antonio Winery and Juanchos restaurant.

The street frontages along Riverside Drive and Milliken Avenue will be improved (curb, gutter, and sidewalk). The Project will also provide new public and private streets that with full right-of-way street improvements, including sidewalk/pedestrian paths, to the nearby San Antonio Winery and Juanchos restaurant.

(vii) Comments were expressed about vagrancy and illegal dumping in the immediate area, as well as existing truck traffic on Riverside Drive and overnight truck parking on Mill Creek Avenue.

The street frontages along Riverside Drive and Milliken Avenue will be improved (curb, gutter, and sidewalk) and no parking will be allowed. The development of the Project site will create more eyes on the street and discourage illegal uses. Also, on-site security patrol will be provided for the property and assist in preventing any undesirable use of the property at night or weekends, alerting law enforcement of any illegal activity occurring off-site and within the immediate area.

(h) Health Risk Assessment — The Applicant was required to prepare a Health Risk Assessment (“HRA”) to determine whether the proposed Project would pose a health risk to the existing residential land uses. The HRA prepared by Urban Crossroads (Dated: October 5, 2020) analyzed the cancer burden estimates as well as the Project operational Toxic Air Contaminants (“TACs”) impact from Diesel Particulate Matter (“DPM”) emissions. Both analyses concluded that these factors would be less than significant; therefore, no mitigation is required for the Project beyond that which was previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), as certified by the Ontario City Council on January 27, 2010. Furthermore, the Project was designed to minimize any potential impacts to existing residential development. Additionally, the Project has been conditioned to have trucks travel east, towards Hamner/Milliken Avenue, when exiting the site. Trucks shall not be allowed to utilize Riverside Drive west of the Project site, to access or exit the Project site.

(i) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes both Projects' compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system within the tractor-trailer courtyard areas of each building and parking lots. Any overflow drainage will be conveyed to a storm drain connection located at the south end of the Project site.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as "EIR Addendum") in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the EIR Addendum prepared for General Plan Amendment (File No. PGPA19-007), which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be

consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, as the first action on the Project, on October 19, 2020, the DAB issued a Decision recommending the Planning Commission recommend approval to the City Council of the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, the subject Development Plan (File No. PDEV19-059) Application was filed in conjunction with: [1] A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use (Hamner/SR-60 Area 12) to 7.6 acres of General Commercial and 33.75 acres of Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; [2] A Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan; [3] A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial); [4] A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels; [5] A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license), on 1.27 acres of land; [6] A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land; and

WHEREAS, approval of this Project is contingent upon the City Council approving a General Plan Amendment (File No. PGPA19-007), rescinding the Tuscana Village Specific Plan (File No. PSPA19-010), a Zone Change (File No. PZC19-02) and an EIR Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), which was certified on January 27, 2010; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

Senate Bill 330 – Housing Accountability Act (Government Code Section 65589.5 et seq.) (SB 330) was passed by the California Legislature, signed by the Governor and became effective on January 1, 2020. The bill is the result of the Legislature’s extensive findings regarding the California “housing supply crisis” with “housing demand far outstripping supply.”

SB 330 amends Government Code Sections 65589.5, adds Govt. Code Sections 65940, 65943 and 65950, and repeals and readopts Sections 65906.5, 65913.10 and 65941.1. To summarize, no city may disapprove a residential housing development project for low- to moderate-income households (as defined therein) unless it makes a finding that the housing development project “would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households...” such as where the housing development project is proposed on land “which does not have adequate water or wastewater facilities to serve the project.” (Government Code Section 65589.5(d)(2), (4)).

In addition, the legislation adds Chapter 12 to Division 1 of Title 7 of the Government Code (Section 66300 et seq.) that applies to “affected cities,” which are identified as cities in urbanized areas as determined by the most recent census. In accordance with SB 330, the Department of Community Development and Housing (“HCD”) has prepared a list of affected cities and has determined that Ontario is an “affected city.” Therefore, pursuant to Government Code Section 66300(b)(1)(A) and (b):

(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an \ affected city shall not enact a development policy, standard, or condition that would have any of the following effects:

(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018...”

except when approved by HCD or when the following exception is set out in Govt. Code § 66300(i)(1) applies:

(i) (1) This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.

As discussed in the Background section of the staff report, a General Plan Amendment (GPA) is proposed to change the site's land use designations from Mixed-Use to General Commercial and Industrial. The GPA would eliminate the Mixed Use allowable housing, thereby theoretically eliminating 185 units (as allocated by TOP LU-03 Build-out Table, which had an assumed density of up to 25 dwelling units per acre).

To address the removal of 185 low-moderate residential units at a density of 25 dwelling units per acre and demonstrate a "no net loss," and demonstrate the Project is in compliance with provisions of Section 66300(i)(1) have been met and there is no net loss of residential capacity. On December 17, 2019, the City Council approved an Amendment to the Meredith International Centre Specific Plan (File No. PSPA19-002) to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard. The Meredith International Centre Specific Plan is listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The Specific Plan allowed 800 dwelling units at a density of 37 dwelling units per acre, which have all been constructed. The Specific Plan amendment approved in December 2019 provides for an additional 925 residential units at a density of 41 dwelling units per acre, which will add 925 units to the Available Land Inventory Table. The Addendum to the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020), approved on December 17, 2019, supports that change in the Specific Plan, which results in a surplus of 925 residential units within the City. On March 30, 2020, the City Council approved a General Plan Amendment to TOP Policy Plan Future Buildout Table (Exhibit LU-03) to reflect the addition of 925 residential units, assumed density and intensity for the Mixed-Use/Meredith section of the Buildout Table. The loss of 185 units under the current Policy Plan designation will be directly offset by the addition of 925 units, resulting in a no net loss of residential units.

SECTION 2: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and

determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the proposed Industrial land use district of the Policy Plan Land Use Map, and the proposed Light Industrial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the proposed Light Industrial zoning district, including standards relative to the particular land use proposed (industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (industrial). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 4: City Council Required Actions. Approval of this Project is contingent upon City Council approving a General Plan Amendment (File No. PGPA19-007), Zone Change (File No. PZC19-002), Specific Plan Amendment (File No. PSPA19-010), and an EIR Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) that was certified on January 27, 2010.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

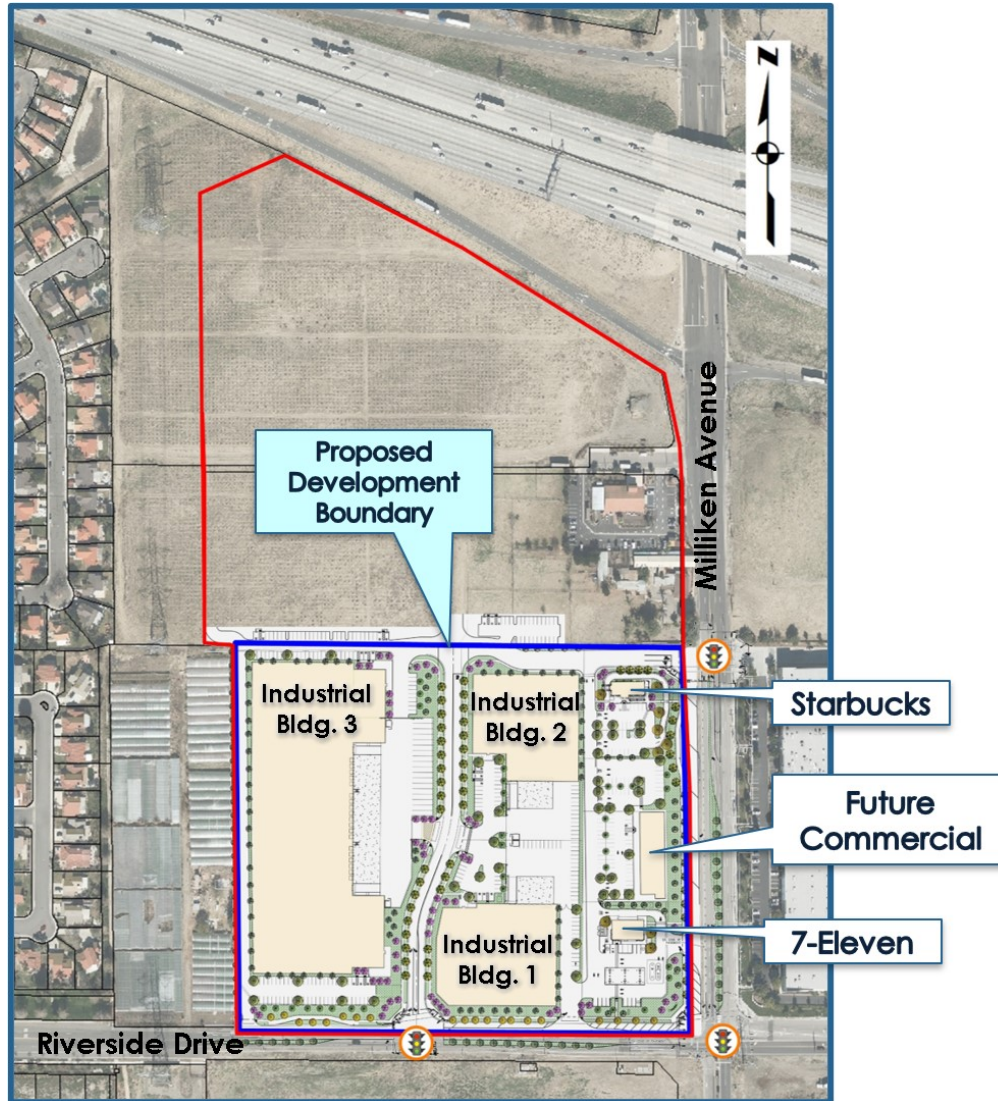


Exhibit B—SITE PLAN

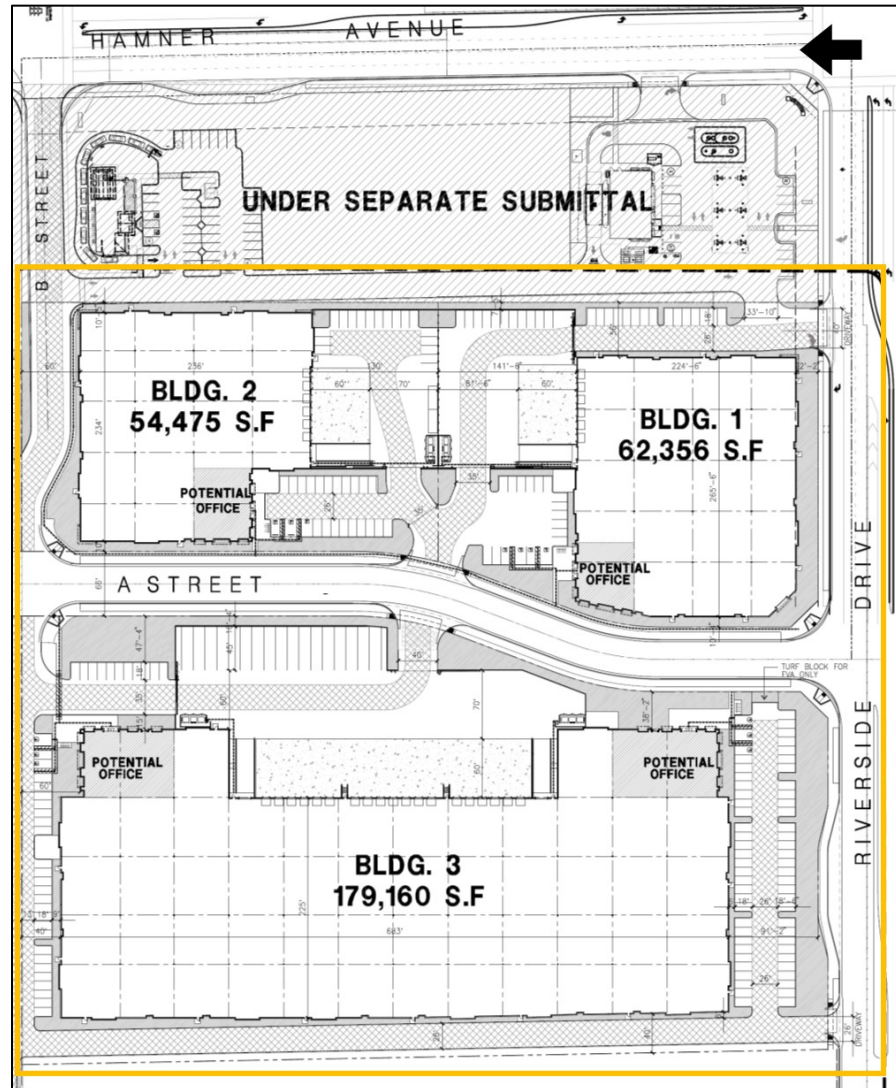


Exhibit B-1—CONCEPTUAL SITE PLAN

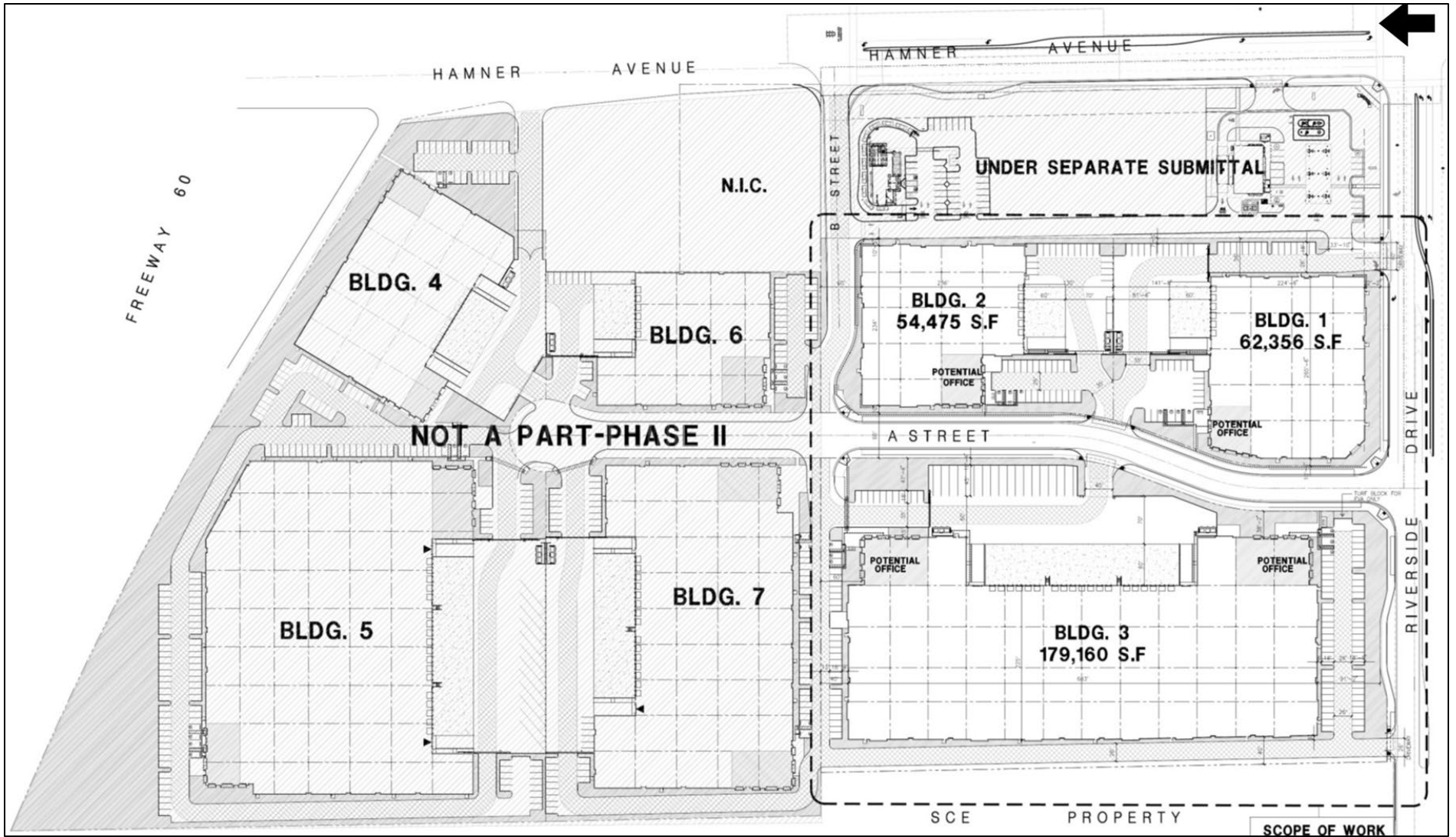
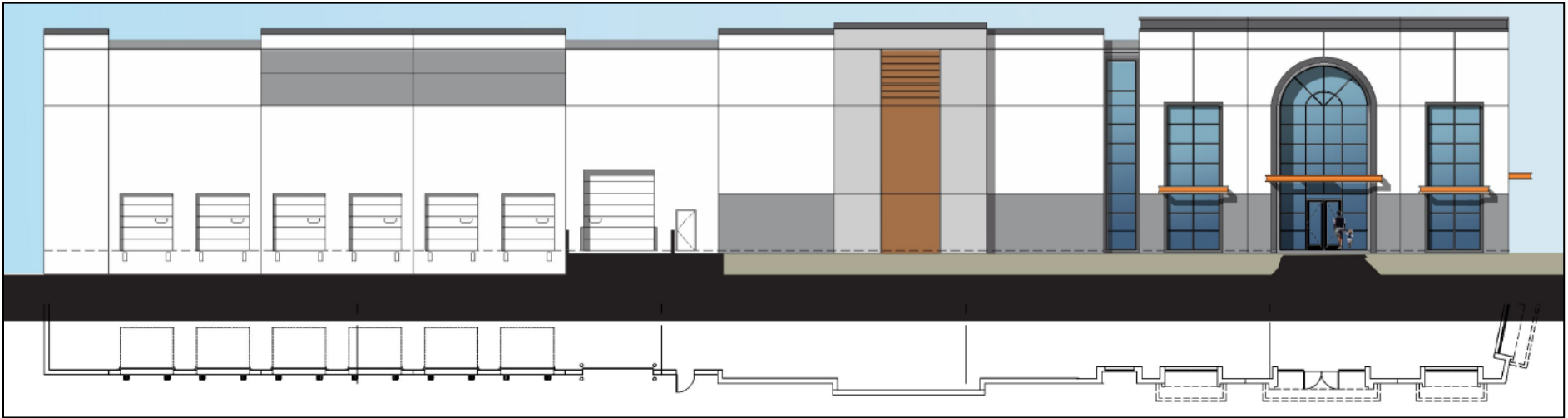


Exhibit C—EXTERIOR ELEVATIONS (BUILDING 1)



North Elevation



Northwest Elevation

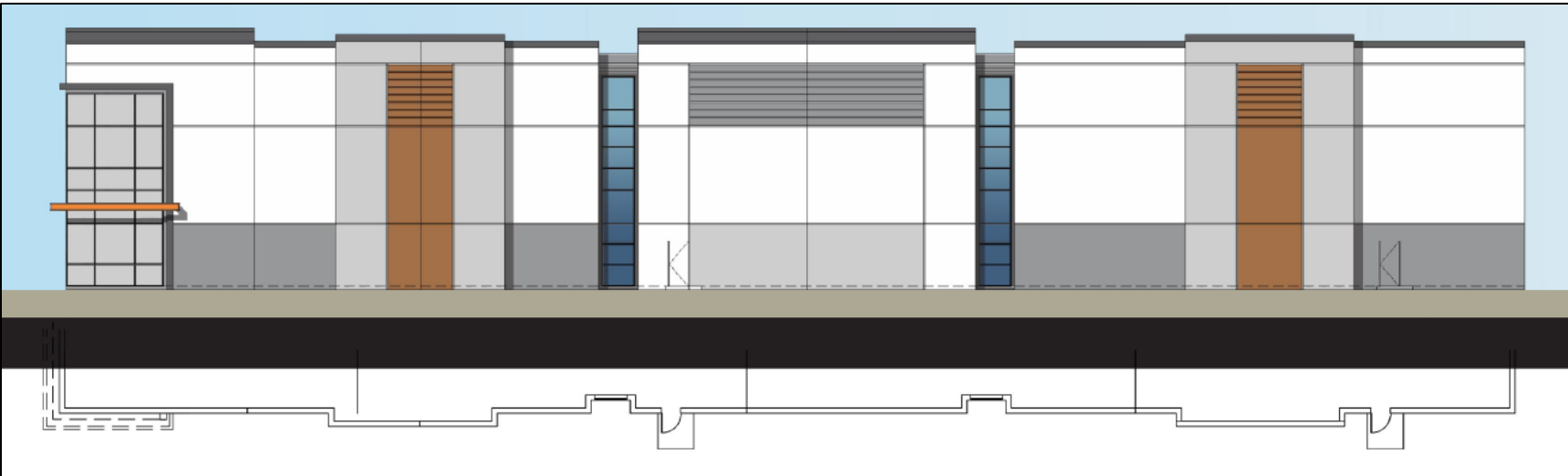
West Elevation

Southwest Elevation

Exhibit C—EXTERIOR ELEVATIONS CONTINUED (BUILDING 1)

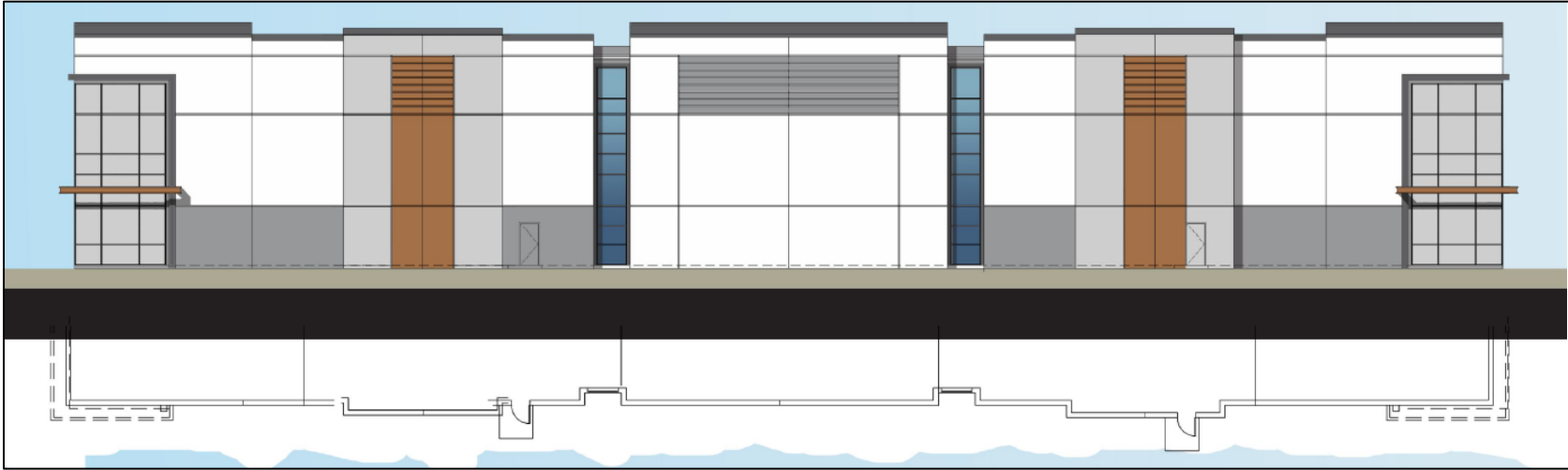


South Elevation



East Elevation

Exhibit C—EXTERIOR ELEVATIONS CONTINUED (BUILDING 2)

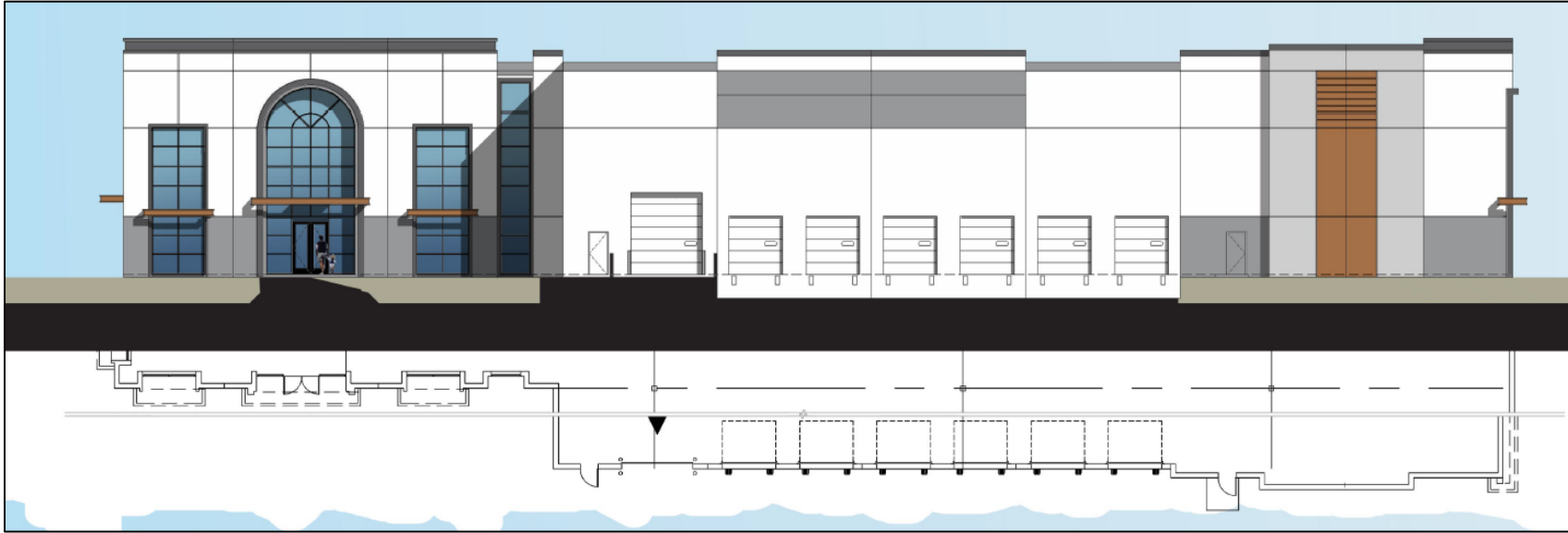


North Elevation

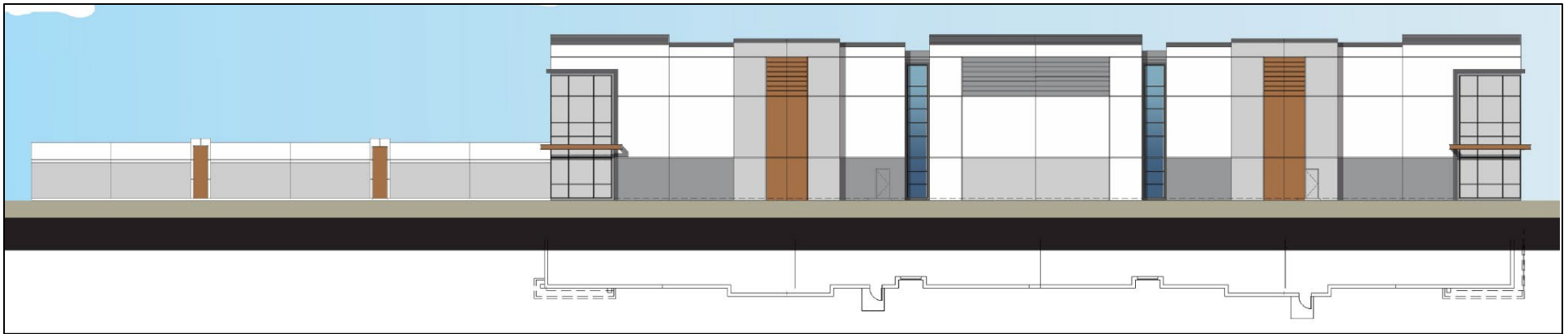


West Elevation

Exhibit C—EXTERIOR ELEVATIONS CONTINUED (BUILDING 2)



South Elevation

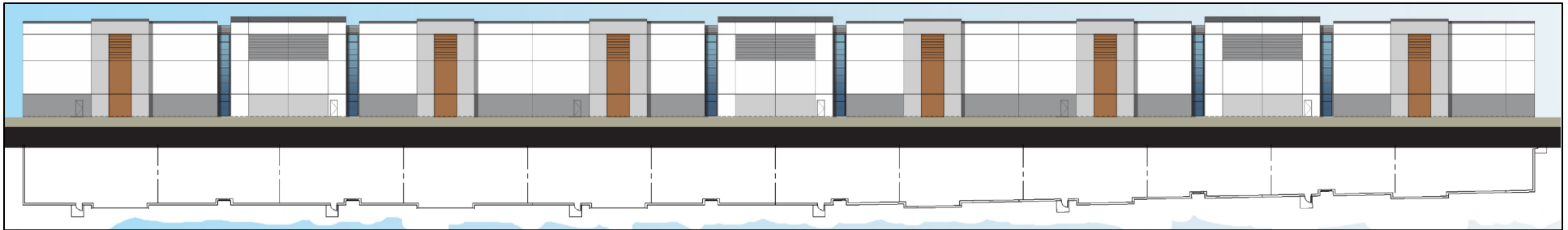


East Elevation

Exhibit C—EXTERIOR ELEVATIONS CONTINUED (BUILDING 3)

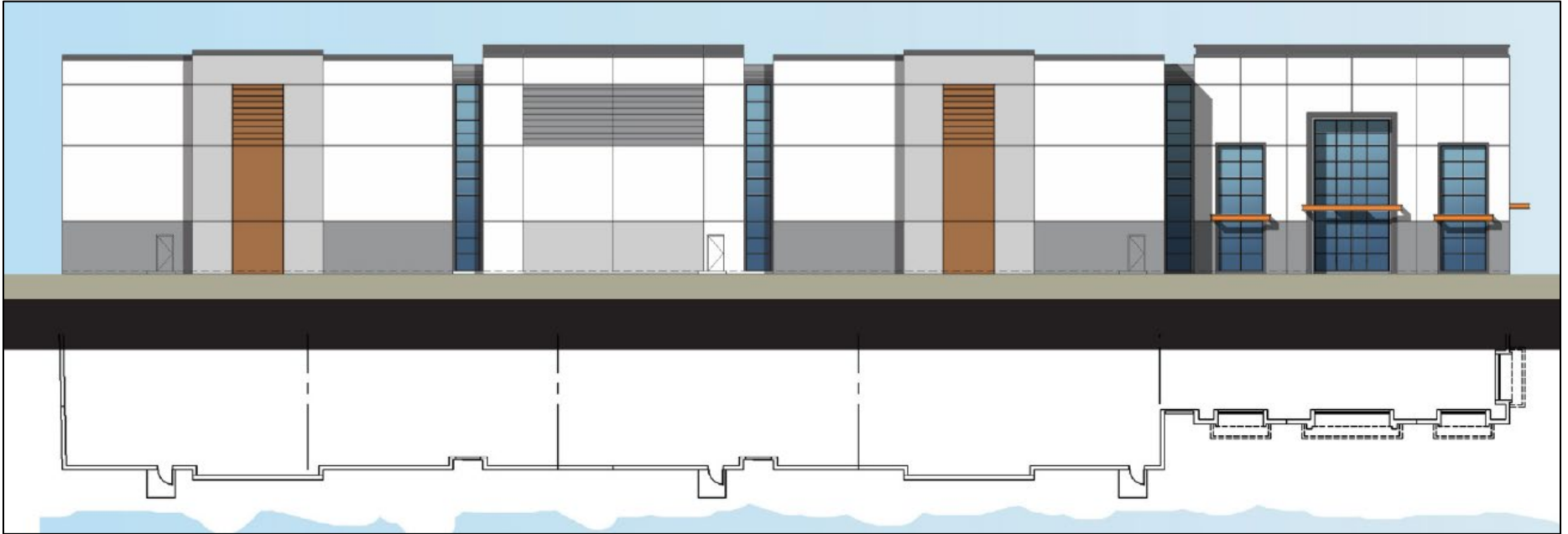


North Elevation

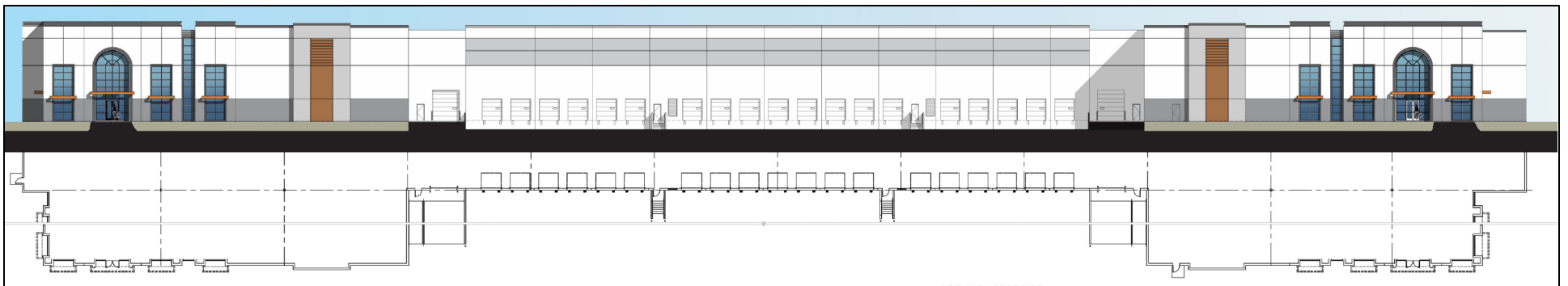


West Elevation

Exhibit C—EXTERIOR ELEVATIONS CONTINUED (BUILDING 3)



South Elevation



East Elevation

Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PDEV19-059

Related Files: PGPA19-007, PZC19-002, PSPA19-010, PMTT19-018, PDEV20-012, PDEV20-013 and PCUP20-009

Project Description: A Development Plan to construct 3 industrial buildings totaling 295,991 square feet on 13 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed IL (Light Industrial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture. Parapet walls shall be raised to completely screen any roof-mounted mechanical equipment.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). A comprehensive sign program shall be submitted for all parcels associated with PMTT19-018.

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.13 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.14 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.16 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational

purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.17 Additional Requirements.

(a) The Tentative Parcel Map shall not be final and conclusive until the General Plan Amendment (File No. PGPA19-007), the Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan and Zone Change (File No. PZC19-002) are approved by the City Council.

(b) The Ontario Climate Action Plan (CAP) requires new development to be 25% more efficient. The applicant has elected to utilize the Screening Tables provided in the CAP instead of preparing separate emissions calculations. By electing to utilize the Screening Tables the applicant shall be required

to garner a minimum of 100 points to be consistent with the reduction quantities outlined in the CAP. The applicant shall identify on the construction drawings the items identified in the Screening Tables.

(c) Tractor trailer (Semi-trailer) trucks shall enter and exit the site from the designated truck route on Hamner Avenue. Tractor trailer (Semi-trailer) trucks shall not travel westbound on Riverside Drive; trucks shall travel eastbound toward Hamner/Milliken Avenue when exiting the driveways located along Riverside Drive. Tractor trailer (Semi-trailer) trucks entering the project site on Riverside Drive shall travel westbound from Hamner/Milliken Avenue, trucks shall not travel eastbound on Riverside Drive to access the project site.

(d) Additional horizontal building articulation shall be provided on building corners of Buildings 1 and 2. Screen walls shall be designed to complement the building's architectural design.

(e) Each employee break area shall include seating and a shade tree.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20177 RELATED FILE NO(S). PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20177, a Tentative Parcel Map to subdivide 20 acres of land into eight (8) lots within the Tuscana Village Specific Plan

LOCATION: Northwest corner of Milliken Avenue and Riverside Drive

APPLICANT: Orbis Real Estate Partners

REVIEWED BY:  10-9-20
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  10-9-20
Khoi Do, P.E. Date
City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:**
 - A. Riverside Dr to the ultimate half street right-of-way width of 54 feet along the project frontage from the westerly project frontage to "A" St
 - B. Riverside Dr to the ultimate half street right-of-way width of 64 feet along the project frontage from the "A" St to Milliken Ave
 - C. Developer/Applicant shall exercise reasonable effort to procure ultimate half street right-of-way of 54 feet of right-of-way on Riverside Dr along the property frontage of the existing nursery adjacent to the westerly project boundary. Right-of-way is required to construct street improvements required per COA 2.17, herein. Right-of-way shall be dedicated to the City from the property owner of the existing nursery adjacent to the westerly project boundary.
 - D. Milliken Ave to the ultimate half street right-of-way width of 71 feet along the project frontage
 - E. "A" St to the ultimate full street right-of-way width of 66 feet along the project frontage
 - F. Property line corner 'cut-back' required at all street intersections within the project boundaries. This includes, but is not limited to, the intersection of Milliken Ave and "B" St (private).

- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - A. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Riverside Dr west of "A" St.
 - B. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Milliken Ave south of "B" St (private).
 - C. 25 feet wide easement for public utility purposes along "B" St (private) from "A" St to Milliken Ave. See COA 2.29A and 2.34B.
 - D. Easement for traffic signal purposes at the intersection of Milliken Ave and "B" St (private). Location and dimensions shall be determined during the plan check process.

- 1.03 Restrict vehicular access to the site as follows:** _____

- 1.04 Vacate the following street(s) and/or easement(s):**
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.**



- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.**
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.**
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.**
 - (1) _____
 - (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.**
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.**
- 1.11 Provide a preliminary title report current to within 30 days.**
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.**
- 1.13 New Model Colony (NMC) Developments:**
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).



- 1.14 Other conditions:**
- A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
 - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20177 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)



Other:

- **City of Eastvale – for any improvements encroaching into their right-of-way**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- _____ feet on _____
- Property line corner 'cut-back' required at the intersection of _____
and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- _____
- 2.12 New Model Colony (NMC) Developments:
- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
- 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
- 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$389,850, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
- A. **Obtain a private access easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**
- B. **Obtain a temporary construction easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Riverside Drive	Milliken Avenue	"A" Street	"B" Street (private)
Curb and Gutter	<input checked="" type="checkbox"/> New; 42-52 ft. varies from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 58 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 20 ft. from C/L, east & west along project frontage <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 27-37 additional feet varies along frontage, including pavm't transitions (B, C)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 37 additional feet along frontage, including pavm't transitions (D)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New (E) <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (F) <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input checked="" type="checkbox"/> New (F) <input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> New (G) <input checked="" type="checkbox"/> Trees (G) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (G)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. 42 ft. from C/L (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 52 ft. from C/L (limits are from "A" St to Milliken Ave)**
- B. 27 ft. additional widening (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 37 ft. additional widening (limits are from "A" St to Milliken Ave)**



- C. A raised landscape median is required on the south side. Please note, if the existing Riverside Dr pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- D. A raised landscape median is required on the east side (City of Eastvale may require additional improvements). Please note, if the existing Milliken Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- E. Required at the following proposed signalized intersections:
 - i. Milliken Ave and Riverside Dr
 - ii. Milliken Ave and "B" St (private)
- F. Limits are approximately 275 feet west of the westerly project frontage to Milliken Ave
- G. These improvements are partially in the City of Ontario and City of Eastvale.
- H. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 275 feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - A. Sewer Sub-Area Master Plans (SSAMP): The Conceptual Sewer Study dated 4/30/2020 is currently under review and has not been approved. Revise the Conceptual Sewer Study to include all public sewer infrastructure that will be designed by the project and convert it to a Final SSAMP pursuant to Section 4-8 of the Sewer Master Plan (SMP). The revised study shall demonstrate that the sewer criteria of the SMP (Sections 4-2 to 4-5) has been met and shall be submitted to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.
 - B. Install 8-inch sewer main (or approved size per Final SSAMP) in Riverside Dr, with a point of connection to the existing 10-inch sewer main on Riverside Dr west of the project boundary and extending north to Milliken Ave, then north on Milliken Avenue to the sewer service connection for Parcel 7.
 - C. Install 8-inch sewer main (or approved size per Final SSAMP) in "A" St, connecting to the new sewer main at the intersection of "A" St and Riverside Dr and extending north to the northerly project limits. See Conceptual Utility Systems Map, dated 09/17/2020 for



reference.

- D. All parcels shall have a separate sewer service connected to a public sewer main.
- E. Install sewer monitoring manhole for each proposed building per city standard 2203 at the immediate back of the property line, on private property and maintain a 10' pre and post straight pipe run. The pre and post pipe is the have the range slope from 0.4% to maximum 2.0%.

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Riverside Dr and an 18-inch water main is available for connection by this project in Milliken Ave. (Ref: Water plan bar code: W12297, W12299)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - A. Install a 12-inch water main in "A" St, with a point of connection to the existing 12-inch 1010PZ potable water main at the intersection of Riverside Dr and "A" St, and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to a point of connection to the existing 18-inch 1010PZ potable water main in Milliken Ave. See Conceptual Utility Systems Map, dated 09/17/2020 for reference.
 - B. Install a meter and backflow device for domestic water service. Install a double check detector assembly (DCDA) for the proposed fire service.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions:
 - A. Install 8-inch 1050 PZ recycled water main in Riverside Dr with a point of connection to the existing 8-inch recycled water main in Riverside Dr, west of the project boundary, and extending to the intersection of Milliken Ave and Riverside Dr.
 - B. Install 8-inch recycled water in "A" St connecting to the new recycled water main at the intersection of "A" St and Riverside Dr and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to the service connection for Parcel 7. See Conceptual Utility Systems Map, dated 09/17/2020.
 - C. Install any additional public recycled water mains on Riverside Dr or Milliken Ave needed to provide recycled water service for Parcels 5 and 6 at the time of development of those parcels.



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
- A. It is to be noted that the Riverside Dr street section from the "A" St to Milliken Ave requires additional right-of-way to accommodate the additional turn lanes based on The Ontario Plan enhanced intersection requirements for Riverside Dr and Milliken Ave.
 - B. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that the striping and median alignment is consistent along Milliken Ave through the intersection of Riverside Dr.
 - C. The proposed intersection of "B" St (private) shall be aligned with the drive approach on the east side of Milliken Ave.
 - D. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that "A" St along Riverside Drive is correctly aligned with the development on the south side.
 - E. Design and construct a new traffic signal system at "B" St and Milliken Ave to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - F. Design and construct a new traffic signal system at "A" St and Riverside Dr to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - G. Design and construct modifications to the existing traffic signal on Milliken Ave and Riverside Dr. The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 - H. Design and construct a raised median on Riverside Dr and Milliken Ave along the project frontage.
 - I. All project driveways, with exception of "A" St and "B" St (private), shall be limited to right-in/right-out access only. Design and construct signing and striping improvements to render said restriction enforceable.
 - J. Design and construct a bus turnout on Riverside Dr west of "A" St, in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - K. Design and construct a bus turnout on Milliken Ave south of "B" St (private), in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - L. Modify signing and striping on Riverside Drive and Milliken Ave beyond project limits to accommodate frontage widening improvements
 - M. Riverside Dr shall be signed "No Parking Anytime". Milliken Ave shall be signed "No Stopping Anytime". "A" St shall be signed "No Stopping Anytime" along the property frontage. "B" St (private) shall be signed "No Stopping Anytime" along the property frontage.
 - N. Design and construct in-fill public street lights along project frontages of Riverside Dr, Milliken Ave, and "A" St in accordance with City of Ontario Standards and the Traffic and Transportation Design Guidelines, Section 1.4.
 - O. Engineer-of-record shall meet with City Engineering staff prior to starting



signing/stripping, street lighting, and signal design.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____, (Ref: Storm Drain plan bar code: _____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.**
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**
 - A. **Design and construct a 42" storm drain line on Riverside Dr from Milliken Ave to the westerly project limits connecting to existing 48" storm drain line.**
 - B. **Design and construct a 42" storm drain line on "A" St from the northerly project limits to Riverside Dr.**
 - C. **The existing 48" storm drain in Riverside Dr is currently not connected to the County Line Channel. The ultimate system in Mill Creek Avenue is not constructed at this time. In the interim, the Developer/Applicant shall design and construct a temporary storm drain system for storm water detention on-site, to the satisfaction of the City Engineer (See COA 2.40, above).**
 - D. **The temporary storm water detention system shall be a private system. The Developer/Applicant shall be responsible for maintaining the temporary system. A surety bond shall be provided to secure construction of the temporary system and a 10 year operations and maintenance period, or until the ultimate storm drain and connection to the County Line Channel is complete and the ultimate storm drain system becomes available.**

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.



- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Riverside Dr, Milliken Ave, and "A" St.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 **Other conditions:**
 - A. Integrated Waste and Organics Recycling: This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341 and the Integrated Waste Department.**
 - i. Organics Separation and Collection: Organic waste shall be diverted and collected separately from recycling and other refuse wastes.**
 - ii. Install a three (3) Bin Trash Enclosure (a separate 4CY bin for refuse, recycling, and organic waste) for each proposed building, at a minimum. Submit volumetric calculations with the SWHP for each proposed site in order to determine the actual numbers of bins and trash enclosures.**
 - B. Final Solid Waste Handling Plan (SWHP): Prior to issuance of any permits, submit a Final Solid Waste Handling Plan as part of the Precise Grading Plan submittal that meets all of the City's SWHP requirements for OMUC review and approval. The Final SWHP shall reflect any site design changes needed to comply the final conditions of**



- approval.
- C. **Final Integrated Waste Management Report (IWMR):** Prior to issuance of any permits, submit a Final IWMR with the Precise Grading Plan that meets all of the City's IWMR requirements for OMUC review and approval.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013, and/or Parcel Map No. 20177

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. Other: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PGPA19-07,ZC19-02,PSPA19-10,PMTT19-18,PDEV19,059,20-12, 13&PCUP20-9
 Address: NWC of Riverside Drive and Milliken Avenue
 APN: 1083-361-01, 1083-361-04 & 1083-361-07
 Existing Land Use: Vacant/Agriculture/Winery and restaurant
 Proposed Land Use: GPA (ZC) from Mixed Use (SP, LDR-5 & CC) to GC (CC) & Ind (IL); SPA to rescind an SP; TPM sub. 20 acres into 7 parcels; PDEV for 3 Ind. & 2 Comm Bldgs
 Site Acreage: 41.35 acres Proposed Structure Height: 45 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 4/6/16
 CD No.: 2020-014
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft plus</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 23, 2019
SUBJECT: PDEV19-059

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: October 14, 2020

SUBJECT: PDEV19-059 – A Development Plan to construct 3 industrial buildings totaling 295,991 square feet on 15 acres of land located at the northwest corner of Milliken Avenue and Riverside Drive, within the proposed IL (Light Industrial) zoning district (APN(s): 1083-361-01, -03, -04 and 07). Related Files: PGPA19-007, PZC19-002 and PMTT19-018 (PM 20177).

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Not Listed, Assumed Type II-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Varies – 54,116 Sq. Ft. to 97,430 Sq. Ft.
- D. Number of Stories: 1 w/ Mezzanine
- E. Total Square Footage: Varies
- F. 2016 CBC Occupancy Classification(s): S

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 3375 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

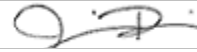
6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off



10/07/20

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV19-059 Rev1

Case Planner:

Lorena Mejia

Project Name and Location:

Toscana
 Riverside Dr. and Milliken

Applicant/Representative:

Grant Ross- (949) 929-9973 gross@oribisrep.com
 280 Newport Center Dr, Suite 240
 Newport Beach, CA 92660



A Preliminary Landscape Plan (dated 09/30/20) meets the Standard Conditions for New Development. It has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.

Landscape construction plans with plan check number may be emailed to landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Note for compaction to be no greater than 85% in landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
2. Note that footings for walls shall not interfere with landscape planter areas; 2' in front of wall and a minimum of 18" of cover.
3. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees, a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

4. Underground stormwater chamber systems shall not interfere with required landscape areas and tree locations; coordinate to locate under paving and parking lots.
5. Call out all fences and walls, materials proposed and heights.

6. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
7. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$278.00</u>
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner

FROM: Emily Hernandez, Police Officer

DATE: August 31, 2020

SUBJECT: PDEV19-059-REVISION-1 – A DEVELOPMENT PLAN TO CONSTRUCT
3 INDUSTRIAL BUILDINGS LOCATED AT THE NORTHWEST
CORNER OF HAMNER AVENUE AND RIVERSIDE DRIVE.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below:

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PMTT20-001

DESCRIPTION: A Tentative Parcel Map (TPM 20187) to subdivide 15.74 acres of land into 4 parcels located on at the southeast corner of Grove Avenue and Francis Street, within the Business Park land use district of the Grove Avenue Specific Plan (APNs: 113-451-14 & 113-451-27); **submitted by EBS Realty Partners, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

EBS REALTY PARTNERS, LLC., (herein after referred to as “Applicant”) has filed an application requesting Tentative Parcel Map approval, File No. PMTT20-001, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 15.74 acres of land located at the southeast corner of Grove Avenue and Francis Street, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Industrial/Vacant/Open Space	Business Park	Grove Avenue Specific Plan	Business Park
<i>North</i>	Machinist Training Facility/ Commercial Printer	Business Park	Grove Avenue Specific Plan	Commercial/ Business Park
<i>South</i>	Warehouse/ Manufacturing	Business Park	Grove Avenue Specific Plan	Business Park
<i>East</i>	Warehouse/ Manufacturing/ Construction Supplies	Business Park/ Industrial	General Industrial/ Grove Avenue Specific Plan	Business Park
<i>West</i>	Fast Food Restaurant/ Warehouse/ Manufacturing/ Construction Supplies	Business Park	Grove Avenue Specific Plan	Commercial/ Business Park

(2) **Project Description:**

(a) **Background** — On May 18, 1993, the City Council approved the Grove Avenue Specific Plan (File No. 4388-SP) and certified the Grove Avenue Corridor Specific Plan Environmental Impact Report (EIR 90-2). The Grove Avenue Specific Plan established the land

use designations, development standards, and design guidelines for approximately 250 acres of land, which included the potential development of 2.9 million square feet of light industrial, office/commercial, and commercial land uses.

In 2010, The Ontario Plan (“TOP”) was adopted by the City Council, approving the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) that changed the land use designations of several properties within certain areas of the Grove Avenue Specific Plan, to Business Park. To date, the City has been processing land use changes within Specific Plans on an as needed basis to achieve consistency with TOP when new development projects are proposed. The adoption of TOP changed the Policy Plan land use designation of the Project site (1935 South Grove Avenue) from Commercial to Business Park.

On January 28, 2020, the applicant submitted two applications, a Development Plan and Tentative Parcel Map (File Nos. PDEV20-001 and PMTT20-001), which include the property located at 1935 South Grove Avenue. To facilitate the proposed applications, a Specific Plan Amendment (File No. PSPA20-004) was processed and approved by the City Council on August 18, 2020, that changed the Grove Avenue Specific Plan land use designation for 1935 South Grove Avenue, from Office/Commercial to Business Park, establishing consistency with TOP and facilitating the proposed industrial project applications described below.

- A Tentative Parcel Map (File No. PMTT20-001/TPM 20187) to subdivide 15.74 acres of land into 4 numbered parcels.
- A Development Plan (File No. PDEV20-001) to construct 4 industrial buildings totaling 355,254 square feet.

(b) Tentative Parcel Map — The proposed Tentative Parcel Map will subdivide the Project site into 4 numbered lots (see Exhibit B—Tentative Parcel Map, attached) to facilitate the construction of four industrial buildings totaling 355,254 square feet. The parcels range in size from 2.1 to 5.6 acres, as shown in the Tentative Parcel Map summary table. The minimum parcel size required for the Business Park land use district of the Grove Avenue Specific Plan is one acre, which the Project exceeds.

Tentative Parcel Map 20187 Summary Table	
Parcel No.	AC
1	2.489 AC
2	2.129 AC
3	5.617 AC
4	5.508 AC
TOTAL	15.74 AC

(c) Site Access/Circulation — The Project site will have four access points from Grove Avenue (see Exhibit B—Site Plan, attached). Parcels 1 and 2, located within the northern portion of the Project site, will have one point of access from Grove Avenue via a 50-foot wide shared driveway that is located approximately 300 feet south of Francis Street. Parcel 3 will have primary access from Grove Avenue, via a 40-foot wide driveway located approximately 650 feet south of Francis Street, and a shared 30-foot wide driveway centered between Parcels 3 and 4. In addition to the shared driveway, Parcel 4 will have primary access from Grove Avenue, via a 40-foot wide driveway located at southwest corner of Project site.

A 26-foot wide north-south drive aisle is proposed along the western portion of the site, between Parcels 1 and 4, connecting double-loaded parking lots across the Grove Avenue frontage, while maintaining a 20-foot landscape setback. Due to the expansive widths and lengths of Buildings 1

and 4, the internal drive-aisles all exceed the minimum 26-foot wide fire emergency access lane requirement, providing adequate maneuvering and access for emergency vehicles throughout the Project site.

(d) Utilities (drainage, sewer) — All necessary public utilities are available to the Project site. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system within the tractor-trailer courtyard areas of each building. Any overflow drainage will be conveyed to a parkway culvert located at southwest corner of the Project site onto Grove Avenue.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified by the City Council on January 27, 2010 (“Certified EIR”) in conjunction with File No. PGPA06-001, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as “DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the Tentative Parcel Map (File No. PMTT20-001-TPM 20187) Application to subdivide 15.74 acres of land into 4 parcels has been filed in conjunction with a Development Plan (File No. PDEV20-001) Application to construct 4 industrial buildings totaling 355,254 square feet; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), which was certified by the City Council on January 27, 2010; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required.

Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development

within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) **The proposed Tentative Parcel Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.** The proposed Tentative Parcel Map is located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Grove Avenue Specific Plan. The proposed subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to the establishment of “[a] dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses” (Goal CD1). Furthermore, the Project will promote the City’s policy to “take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods” (Policy CD1-1 *City Identity*).

(2) **The design or improvement of the proposed Tentative Parcel Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.** The proposed Tentative Parcel Map is located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Grove Avenue Specific Plan. The proposed design or improvement of the subdivision is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will provide “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct (Goal CD2). Furthermore, the Project will promote the City’s policy to “collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques” (Policy CD2-7 *Sustainability*).

(3) **The site is physically suitable for the type of development proposed.** The Project site meets the minimum lot area and dimensions of the Business Park land use designation of the Grove Avenue Specific Plan and is physically suitable for the type of industrial

development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the intensity of development proposed.*** The Project site is proposed for industrial development at with an overall floor area ratio of 0.52. The Project site meets the minimum lot area and dimensions of the Business Park land use designation of the Grove Avenue Specific Plan and is physically suitable for this proposed intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The Project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the right-of-way street improvements proposed on the Project site, are not likely to cause serious public health problems, as The Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or Project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the Project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

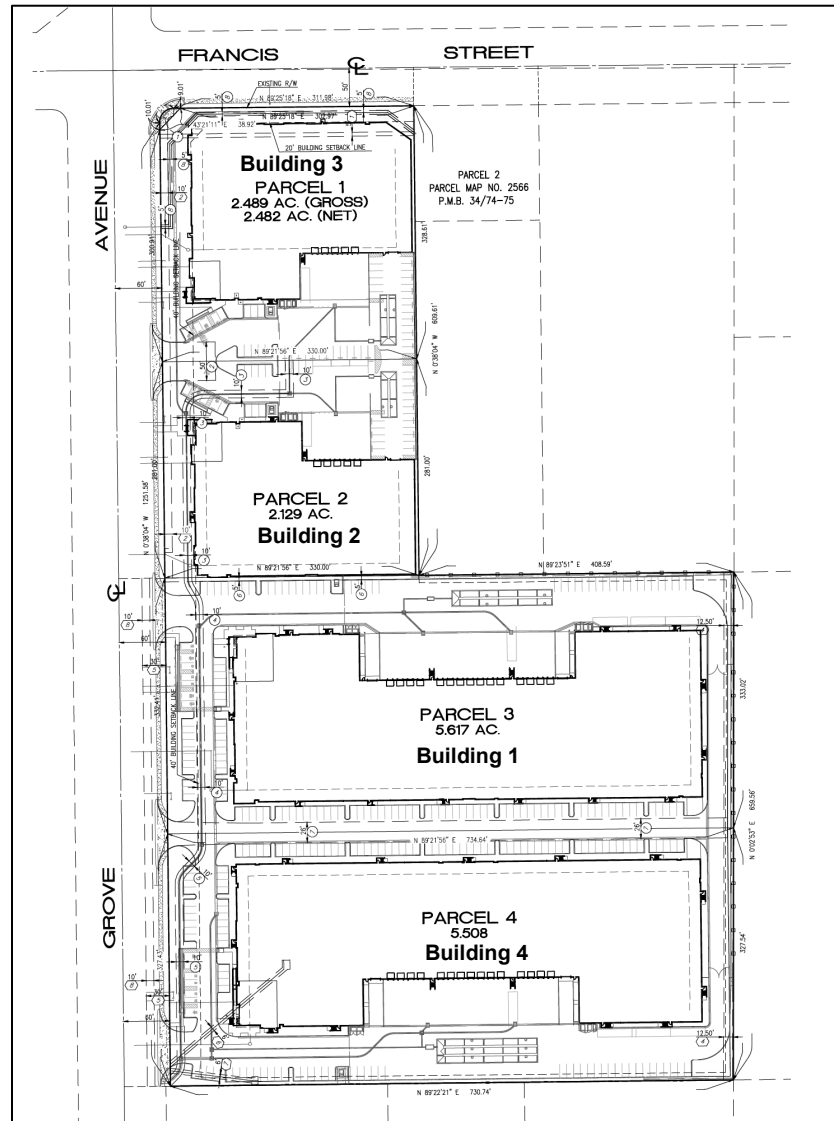
APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—TENTATIVE PARCEL MAP 20187



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PMTT20-001

Related Files: PDEV20-001

Project Description: A Tentative Parcel Map (TPM 20187) to subdivide 15.74 acres of land into 4 parcels located on at the southeast corner of Grove Avenue and Francis Street, within the Business Park land use district of the Grove Avenue Specific Plan (APNs: 113-451-14 & 113-451-27); **submitted by EBS Realty Partners, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: Imejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Tentative Parcel Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Parcel Map shall be in conformance with the approved Tentative Parcel Map on file with the City. Variations from the approved Tentative Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.4 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not

occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.5 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with **The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.6 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.7 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20187 RELATED FILE NO(S). PMTT20-001, PDEV20-001	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20187, a Tentative Parcel Map to subdivide 15.74 acres of land into four (4) parcels within the Grove Avenue Specific Plan

LOCATION: Southeast corner of Grove Avenue and Francis Street

APPLICANT: EBS Realty Partners

REVIEWED BY: Raymond Lee 10/6/20
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: [Signature] 10-7-20
 Khoi Do, P.E. Date
 City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 - A. Property line corner 'cut-back' required at the southeast corner of Grove Ave and Francis St.
- 1.02 Dedicate to the City of Ontario, the following easement(s): _____
- 1.03 Restrict vehicular access to the site as follows: _____
- 1.04 Vacate the following street(s) and/or easement(s):
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.
 - B. Existing 12.5 feet wide easement along the east side of Parcels 3 and 4 for railroad and incidental purposes to the City of Ontario
- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. See COA 1.14B.
- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.
- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____



- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
 - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
 - C. A 5 feet wide easement for sewer purposes for the benefit of Parcel 2 of Parcel Map No. 2566 through Parcel 1. See COA 2.26A.

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20187 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 **Submit a soils/geology report.**

- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other:**
 - **Southern California Edison (SCE) – for any improvements encroaching into their easements/property**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.

- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.



3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$355,965, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Grove Avenue	Francis Street	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace (A)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace (B)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace (B)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. Remove existing driveway approaches and replace with sidewalk per City Std. No. 1209.**
- B. Remove and replace the existing sidewalk ramp at the SEC of Grove Ave and Francis St to meet current City standards. This includes but is not limited to providing a curb return radius of 45-ft and constructing modifications to the existing traffic signal on Grove Ave and Francis St.**

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 **Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.**
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 10-inch sewer main is available for connection by this project in Grove Ave. (Ref: Sewer plan bar code: S11695)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - A. **Existing Private Sewer and Easement Relocation: Relocate existing private sewer lateral serving adjacent property to the east and provide a new private sewer easement along the portion on private property. See COA 1.14C.**
 - B. **Sewer Services: No infiltration flow may be introduced into the public sewer system. Relocate sewer laterals and private sewer systems so that they are not located under or within infiltration areas, detention/retention areas, or bioswales.**

D. WATER

- 2.27 **A 12-inch water main is available for connection by this project in Grove Ave. (Ref: Water plan bar code: W11990)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 **Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.**



- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer

- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.

- 2.37 Other conditions:
- A. Design and construct modifications to the existing traffic signal on Grove Ave and Francis St. The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 - B. Design and construct in-fill public street lights and retrofit existing street lights along its project frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines
 - C. Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____)

- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.

- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.

- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.

- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.



2.43 Other conditions: _____

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**

2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

2.47 Other conditions: _____

J. SPECIAL DISTRICTS

2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.

2.49 Other conditions: _____

K. FIBER OPTIC

2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Grove Ave and Francis St.**

2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**



L. Solid Waste

- 2.52** Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53** Other conditions:
 - A. Prior to approval of any building permits, submit a Final Solid Waste Handling Plan Sheet accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. See Solid Waste Handling Plan (SWHP) Requirements document for details.
 - i. Organics Separation and Collection: This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - B. The applicant shall submit a Final Integrated Waste Management Report that complies with the "Integrated Waste Management Report Requirements" document for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.) generated by the project.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01** Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02** Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04** NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05** Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.



- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.

- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV20-001, PMTT20-001, and/or Parcel Map No. 20187

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
7. Three (3) sets of Public Street improvement plan with street cross-sections
8. Three (3) sets of Private Street improvement plan with street cross-sections
9. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
10. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
11. Four (4) sets of Public Sewer improvement plan
12. Five (5) sets of Public Storm Drain improvement plan
13. **Three (3) sets of Public Street Light improvement plan**
14. Three (3) sets of Signing and Striping improvement plan
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
28. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: *Lorena Mejia*

DATE: February 03, 2020

SUBJECT: FILE #: PMTT20-001

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Parcel Map to subdivide 15.74 acres of land into 4 parcels located at the southeast corner of Grove Ave and Francis Street, within the Office/Commercial land use district of the Grove Avenue Specific Plan (APN(s): 0113-451-14 & 0113-451-27). Related File(s): PDEV20-001.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

POLICE
Department

E. HERNANDEZ
Signature

POLICE OFFICER
Title

2/17/2020
Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 05, 2020
SUBJECT: PMTT20-001

1. The plan **does** adequately address the departmental concerns at this time.
No comments.

KS:lr



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV20-001

DESCRIPTION: A Development Plan to construct 4 industrial buildings totaling 355,254 square feet on 15.74 acres of land located at the southeast corner of Grove Avenue and Francis Street within the Business Park land use designation of the Grove Avenue Specific Plan (APNs: 113-451-14 & 113-451-27); **submitted by EBS Realty Partners, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

EBS REALTY PARTNERS, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV20-001, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 15.74 acres of land located at southeast corner of Grove Avenue and Francis Street, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Industrial/Vacant/Open Space	Business Park	Grove Avenue Specific Plan	Business Park
<i>North</i>	Machinist Training Facility/ Commercial Printer	Business Park	Grove Avenue Specific Plan	Commercial/ Business Park
<i>South</i>	Warehouse/ Manufacturing	Business Park	Grove Avenue Specific Plan	Business Park
<i>East</i>	Warehouse/ Manufacturing/ Construction Supplies	Business Park/ Industrial	General Industrial/ Grove Avenue Specific Plan	Business Park
<i>West</i>	Fast Food Restaurant/ Warehouse/ Manufacturing/ Construction Supplies	Business Park	Grove Avenue Specific Plan	Commercial/ Business Park

(2) **Project Description:**

(a) Background — On May 18, 1993, the City Council approved the Grove Avenue Specific Plan (File No. 4388-SP) and certified the Grove Avenue Corridor Specific Plan

Environmental Impact Report (EIR 90-2). The Grove Avenue Specific Plan established the land use designations, development standards, and design guidelines for approximately 250 acres of land, which included the potential development of 2.9 million square feet of light industrial, office/commercial, and commercial land uses.

In 2010, The Ontario Plan (“TOP”) was adopted by the City Council, approving the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) that changed the land use designations of several properties within certain areas of the Grove Avenue Specific Plan, to Business Park. To date, the City has been processing land use changes within Specific Plans on an as needed basis to achieve consistency with TOP when new development projects are proposed. The adoption of TOP changed the Policy Plan land use designation of the Project site (1935 South Grove Avenue) from Commercial to Business Park.

On January 28, 2020, the applicant submitted two applications, a Development Plan and Tentative Parcel Map (File Nos. PDEV20-001 and PMTT20-001), which include the property located at 1935 South Grove Avenue. To facilitate the proposed applications, a Specific Plan Amendment (File No. PSPA20-004) was processed and approved by the City Council on August 18, 2020, that changed the Grove Avenue Specific Plan land use designation for 1935 South Grove Avenue, from Office/Commercial to Business Park, establishing consistency with TOP and facilitating the proposed industrial project applications described below.

- A Tentative Parcel Map (File No. PMTT20-001/TPM 20187) to subdivide 15.74 acres of land into 4 numbered parcels.
- A Development Plan (File No. PDEV20-001) to construct 4 industrial buildings totaling 355,254 square feet.

(b) Environmental Assessment — The Project site is comprised two contiguous rectangular lots totaling 15.74 acres. The northern parcel is presently vacant (APN:113-451-27) and the southern parcel (APN:113-451-14, 1945 South Grove Avenue) was developed in phases during the 1970s and 1980s with an industrial building that is approximately 105,000 square feet in size, in conjunction with a private athletic field (soccer field, baseball field, basketball court, paved court areas) that was utilized by the company to provide on-site recreational activities for their employees. Due to the previous and existing industrial uses on-site, a Phase I Environmental Site Assessment (Dated: August 27, 2019) and Phase II Soil Vapor Survey (Dated: October 15, 2019) were prepared by Centec Engineering. The Phase I Assessment found that the businesses utilized hazardous materials and generated hazardous wastes over the years; however, there were no underground storage tanks, clarifiers, sumps, plating activities, or other significant issues of environmental concern identified for the subject property. The Phase II, Soil Vapor Survey was prepared by Centec Engineering to determine if significant hazardous waste conditions may be present from current and former industrial manufacturing activities at the site. The investigation was intended to determine if chlorinated solvents, such as PCE, TCE, or other volatile organic compounds (“VOCs”) potentially associated with spray booths, injection machines and other industrial activities may be present. Centec Engineering conducted 19 sampling locations in two events, on October 2 and October 10, 2019, which concluded that no further investigations were warranted or recommended based upon the scope and limitations of the Federal EPA and State of California DTSC for evaluating environmental conditions of a property.

(c) Site Design/Building Layout — Proposed, is the construction of four industrial buildings totaling 355,254 square feet on two rectangular-shaped lots totaling 15.74 acres in area. The building sizes range from 52,584 to 124,012 square feet and the Project has an overall Floor Area Ratio (“FAR”) of 0.52. The Project will provide parking along the western property line (facing Grove Avenue), adjacent to each building’s office area and between each of the proposed buildings. The Project will provide 12-foot high tilt-up screen walls to screen tractor-trailer loading areas from Grove Avenue and an 8-foot high decorative tubular steel fence will be provided along the east, north and south property lines to secure the property.

The applicant is proposing to develop the site in two phases (see Exhibit B—Site Plan, attached), to allow the tenant of the existing building the ability to remain on-site until their lease terminates at the end of 2021 or during the construction of Phase 1. Phase 1 includes the construction and associated right-of-way improvements with Buildings 1, 2, and 3, and does not impact the existing site conditions, access, or parking of the existing building, as shown on Exhibit B1—Phase 1 Site Plan. Phase 1 includes interim improvements between Building 1 and the existing building, which includes the construction of a 34-foot wide drive aisle in an east-west direction, to provide emergency vehicle access around Building 1. Improvements also include a 6-foot wide landscape planter adjacent to Building 1 that will remain in Phase 2, and a 5-foot wide planter located along the southern property line of Building 1 (Parcel 3), that will demarcate the existing building site from the northern portion of the site. Phase 2 includes the demolition of the existing building and the construction of Building 4, as shown on Exhibit B2—Phase 2 Site Plan. Phase 2 improvements include the reconfiguration of the areas between Building 1 and Building 4, which consists of double-loaded parking with a 26-foot wide drive aisle. Below is a description of each of the proposed buildings.

- Building 1 (Parcel 3 – Phase 1) is an interior lot located north of the existing building and consists of a 59,023 square foot warehouse/distribution building, having a FAR of 0.51. Building 1 is oriented east-west, with dock-high loading doors facing north, and office entries facing west, toward Grove Avenue. The building has been designed with one office area located at the northwest corner of the building. The building is setback approximately 88 feet from the west property line (Grove Avenue), 40 feet from the south property line, approximately 70 feet from the north property line, and 41 feet from the east property line.

The yard area will be screened from view of public streets by the proposed building. The north facing portion of the building was designed in a U-shaped configuration to screen the tractor-trailer loading areas. The building wall containing the dock-high loading doors is recessed approximately 60 feet behind the main building line, fully blocking the view of loading activities from the public street.

- Building 2 (Parcel 2 – Phase 1) is centrally located on the Project site and consists of a 52,584 square foot warehouse/distribution building, having a FAR of 0.57. Building 3 is oriented east-west, with dock high loading doors facing north, and the office entry is located at the northwest corner of the proposed building. The building is setback approximately 80 feet from the north property line, one-foot from the south property line, 40 feet from the west property line (facing Grove Avenue), and 4 feet from the east property line.

The yard area will be screened from view of public streets by a 12-foot high screen wall with view-obstructing gates. In addition, the north-facing portion of the building was

designed in a L-shaped configuration to screen the tractor-trailer loading areas. Like Building 1, the building wall containing the dock-high doors is recessed approximately 60 feet behind the main building line, abating views of any loading activities from the public street.

- Building 3 (Parcel 1 – Phase 1) is located at the northwest corner of the Project site, directly north of Building 2. The building has been designed to mirror Building 2's site and floor plan layout, with dock-high loading doors facing Building 2's dock-high loading doors. Building 3 consists of a 59,023 square foot warehouse/distribution building, having a FAR of 0.54. Building 3 is oriented east-west, with dock-high loading doors facing south, and the office entry located at the southeast corner of the proposed building. The building is setback approximately 20 feet from the north property line (facing Francis Street), approximately 78 feet from the south property line, 40 feet from the west property line (facing Grove Avenue), and 103 feet from the east property line (facing Hamner Avenue).

The tractor-trailer yard area will be screened from view of public streets by a 12-foot high screen wall, with view-obstructing gates. In addition, the south facing portion of the building was designed in a L-shaped configuration to screen the tractor-trailer loading areas. The building wall containing the dock-high doors is recessed approximately 60 feet behind the main building line, abating views of any loading activities from the public street.

- Building 4 (Parcel 4 – Phase 2) occupies the southern portion of the Project site (existing building location), south of Building 3, and is a reverse of the Building 3 site plan. Building 4, consists of a 119,635 square foot warehouse/distribution building, having a FAR of 0.50, and is orientated in an east-west direction, with dock-high loading areas facing south, and an office entry located at the southwest corner of the proposed building. The building is setback approximately 40 feet from the north property line, approximately 75 feet from the south property line, 88 feet from the west property line (facing Grove Avenue), and approximately 41 feet from the east property line.

The yard area will be screened from view of public streets by a 12-foot high screen wall, with view-obstructing gates. In addition, the south-facing portion of the building was designed in a U-shaped configuration, screening the tractor-trailer loading areas from public view. The building wall containing the dock-high loading doors is recessed approximately 60 feet behind the main building line, abating views of any loading activities from the public street.

(d) Site Access/Circulation — The Project site will have four access points from Grove Avenue (see Exhibit B—Site Plan, attached). Buildings 2 and 3, located on the northern portion of the Project site, will have one point of access from Grove Avenue via a 50-foot wide shared driveway that is located approximately 300 feet south of the Francis Street. Building 1 will have primary access from Grove Avenue, via a 40-foot wide driveway located approximately 650 feet south of the Grove Street, and a shared 30-foot wide driveway centered between Buildings 1 and 4. In addition to the shared driveway, Building 4 will take primary access from Grove Avenue, via a 40-foot wide driveway located at southwest corner of Project site.

A 26-foot wide north-south drive aisle is proposed along the western portion of the site, between Buildings 1 and 4 connecting double-loaded parking lots across the Grove Avenue frontage, while maintaining a 20-foot landscape setback. Due to the expansive widths and lengths of Buildings 1

and 4, the internal drive-aisles all exceed the minimum 26-foot wide fire emergency access lane requirement, providing adequate maneuvering and access for emergency and solid waste vehicles throughout the Project site.

(e) **Parking** — The Grove Avenue Specific Plan refers to the Ontario Development Code for parking requirements. The Project (Phases 1 and 2) have provided off-street parking pursuant to the “Warehouse and Distribution” parking standards specified in the Development Code. The Project (build-out Phases 1 and 2) requires a total of 259 parking spaces and 360 parking spaces have been provided, as shown in Table A: Parking Summary, below. Phase 1, which includes parking for Buildings 1, 2, and 3, requires a total of 149 parking spaces and 167 parking spaces will be provided. The existing building and site conditions currently provides 206 parking stalls that will remain in place to serve the existing tenant. Sufficient parking will be provided for the Project for both Phases 1 and 2. The Parking Summary table reflects the Project’s ultimate condition at build-out of both phases.

Table A: Parking Summary						
Bldg. No.	Type of Use	Building Area	Trailer Parking		Vehicle Spaces	
			Required	Provided	Required	Provided
1	Warehouse / Distribution	124,012 SF	4	4	93	139
2	Warehouse / Distribution	52,584 SF	1	2	37	40
3	Warehouse / Distribution	59,023 SF	1	2	40	46
4	Warehouse / Distribution	119,635 SF	4	4	89	135
Parking Totals:					259	360

(f) **Architecture** — The proposed buildings are of concrete tilt-up construction and all four buildings incorporate the same architectural design theme, with enhanced elements and treatments located at office entries and along street facing elevations (see Exhibit C—Elevations, attached). Architectural elements for all buildings include smooth-painted concrete in white and grey, and blue and tan tones, tile with a wood grain finish, horizontal and vertical reveals, storefronts with clear anodized aluminum mullions and blue glazing, steel canopies at the main office entries and over second-story windows, and recessed panel sections with contrasting colors. The mechanical equipment will be roof-mounted and obscured from public view by the parapet walls. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code and Grove Avenue Specific Plan. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building’s entries and breaks up large expanses of building wall;
- Variations in building massing; and

- Incorporation of base and top treatments defined by changes in color and horizontal/vertical reveals.

(g) Landscaping — The Project provides an overall landscape coverage of 13.6 percent and requires a minimum 10 percent for interior parcels and 15 percent for corner parcels which have been exceeded, as shown in Table B: Landscape Coverage Percentages, below. The Project provides substantial landscaping along Grove Avenue and Francis Street, at each office element and throughout the parking areas (see Exhibit D—Landscape Plan, attached). The Project includes right-of-way improvements (street widening, curb, gutter, sidewalk, and parkway) along Grove Avenue and Francis Street. The proposed on-site and off-site landscape improvements will assist toward creating a walkable safe area for pedestrians to access the Project site.

The landscape plan incorporates 24-inch box Arizona Sycamore trees in the right-of-way along Grove Avenue and 24-inch box Chinese Elm trees along Francis Street. A combination of 48-inch, 36-inch, 24-inch box, and 15-gallon accent and shade trees will be provided on the Project site, the tree species include Forest Pansy Redbud, Italian Cypress, Chinese Pistache, Coast Live Oak and Brisbane Box. The landscape plan also includes a variety of shrubs, grasses, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, each building will be conditioned to include an employee break area, with benches, tables, and shade trees.

Table B: Landscape Coverage Percentages			
Parcel No.	Bldg. No.	Required Landscape Coverage (in %)	Proposed Landscape Coverage (in %)
1	3	10%	10.1%
2	2	10%	14.1%
3	1	15%	19.2%
4	4	10%	10.9%
TOTAL			13.6%

(h) Traffic Study — The Grove Avenue Specific Plan allows a 0.40 FAR within the Business Park land use district; however, an increase in FAR is permitted if the traffic generating characteristics of the Project do not exceed the number of trips assumed in the Environmental Impact Report (EIR) prepared for the Grove Avenue Specific Plan (adopted by City Council on May 18, 1993). A Traffic Assessment was prepared the Ganddini Group (dated December 6, 2019), for the Project to support the increase in FAR from 0.40 to 0.52. The Traffic Assessment concluded that the number of trips proposed for the Project will generate approximately 1,714 fewer daily PCE trips compared to the maximum allowable development under the Grove Avenue Specific Plan EIR, including 115 fewer PCE trips during the AM peak hour and 83 fewer PCE trips during the PM peak hour. Furthermore, in 2010, The Ontario Plan (“TOP”) and EIR were adopted by the City Council, which approved the land use designation change of several properties within the Grove Avenue Specific Plan, including the Project site, to Business Park. The maximum FAR allowed for the Business Park land use designation is 0.60 FAR, which this Project does not exceed.

(i) Utilities (drainage, sewer) — All necessary public utilities are available to the Project site. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture

runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of an underground stormwater infiltration system within the tractor-trailer courtyard areas of each building. Any overflow drainage will be conveyed to a parkway culvert located at southwest corner of the Project site onto Grove Avenue.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified by the City Council on January 27, 2010 (“Certified EIR”) in conjunction with File No. PGPA06-001, in which development and use of the Project site was discussed; and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the Certified EIR, which concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as “DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the Development Plan (File No. PDEV20-001) Application, has been filed in conjunction with a Tentative Parcel Map (File No. PMTT20-001-TPM 20187) to subdivide 15.74 acres of land into 4 Parcels; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the DAB has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the DAB finds as follows:

(1) The environmental impacts of this Project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), which was certified by the City Council on January 27, 2010; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder, and the City of Ontario Local CEQA Guidelines; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the DAB, and the specific findings set forth in Section 1, above, the DAB finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *ALUCP Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 through 4, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Business Park land use district of the Policy Plan Land Use Map, and the Business Park land use designation of the Grove Avenue Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Business Park land use designation of the Grove Avenue Specific Plan, including standards relative to the particular land use proposed (industrial), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Grove Avenue Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Grove Avenue Specific Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Grove Avenue Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (Industrial). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Grove Avenue Specific Plan.

SECTION 6: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 5, above, the DAB hereby recommends the Planning

Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN

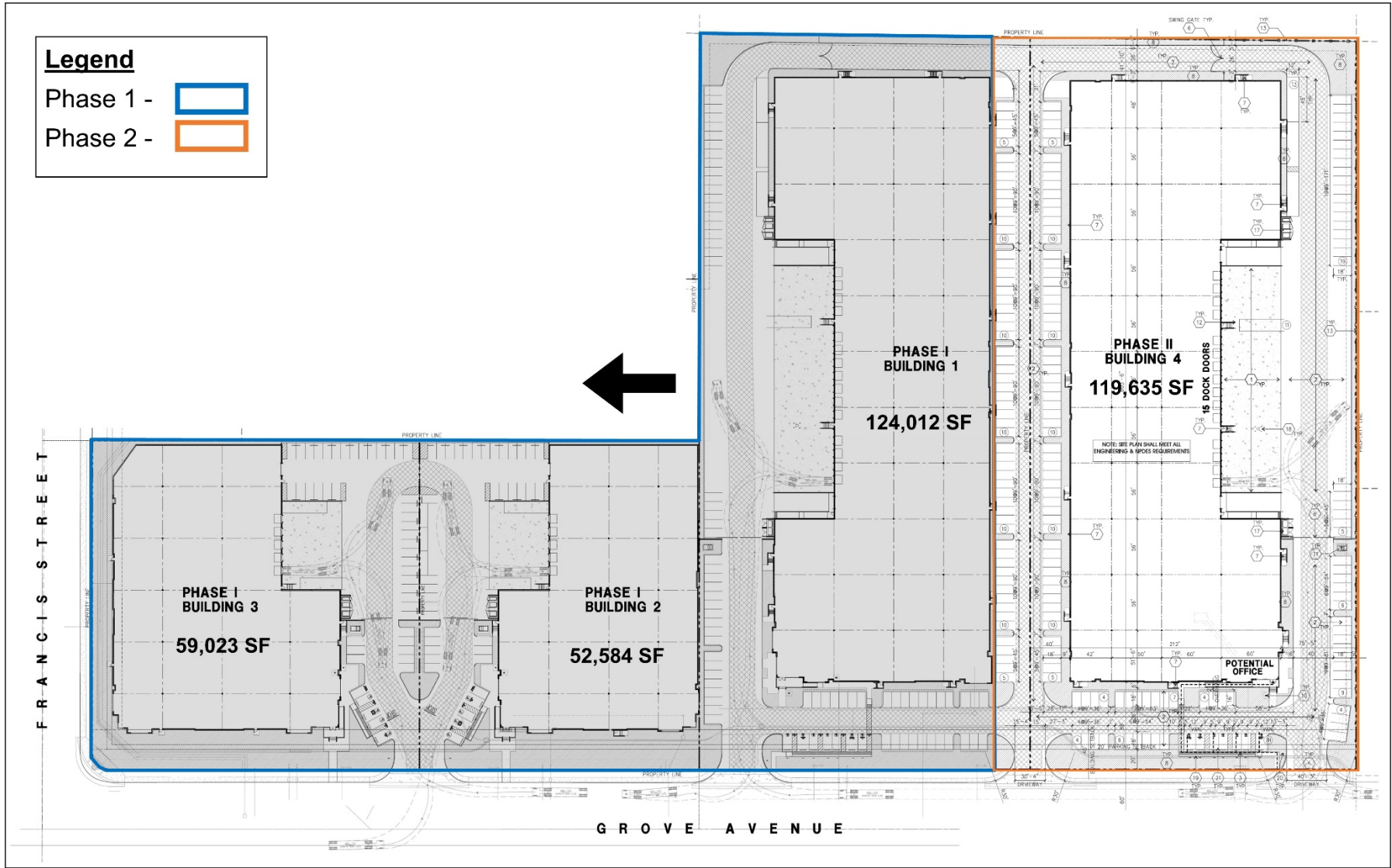


Exhibit B-1—PHASE 1 SITE PLAN

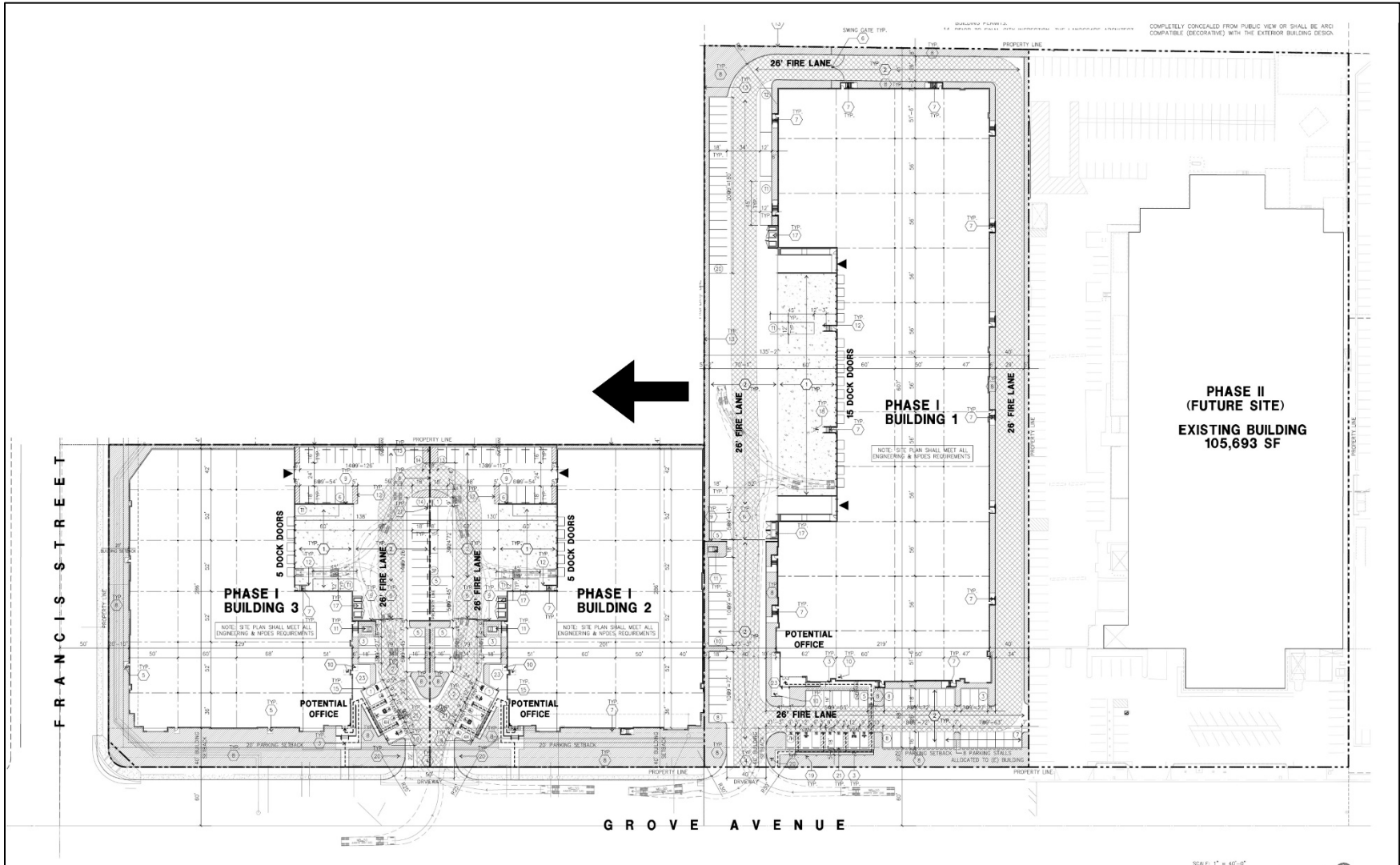
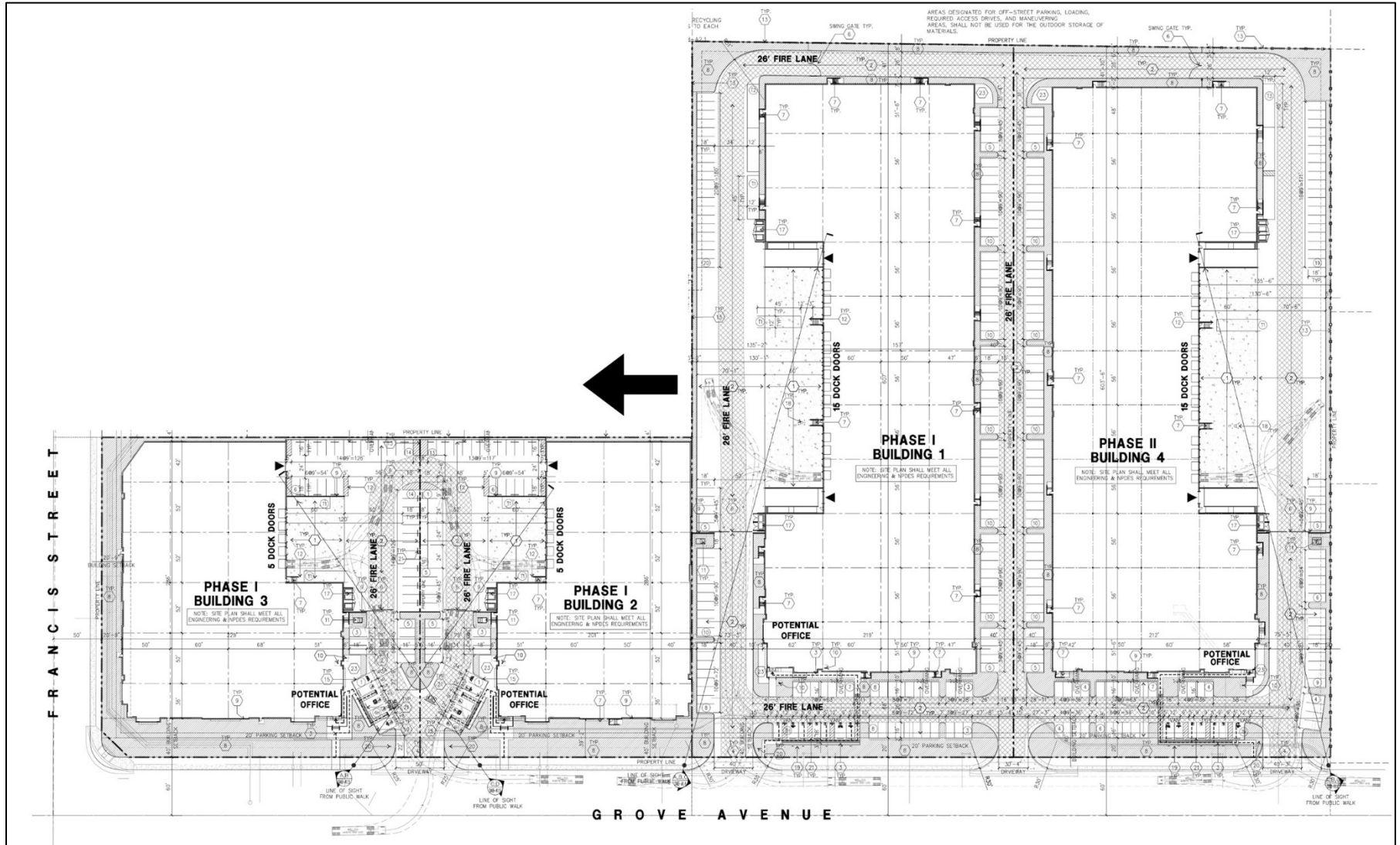


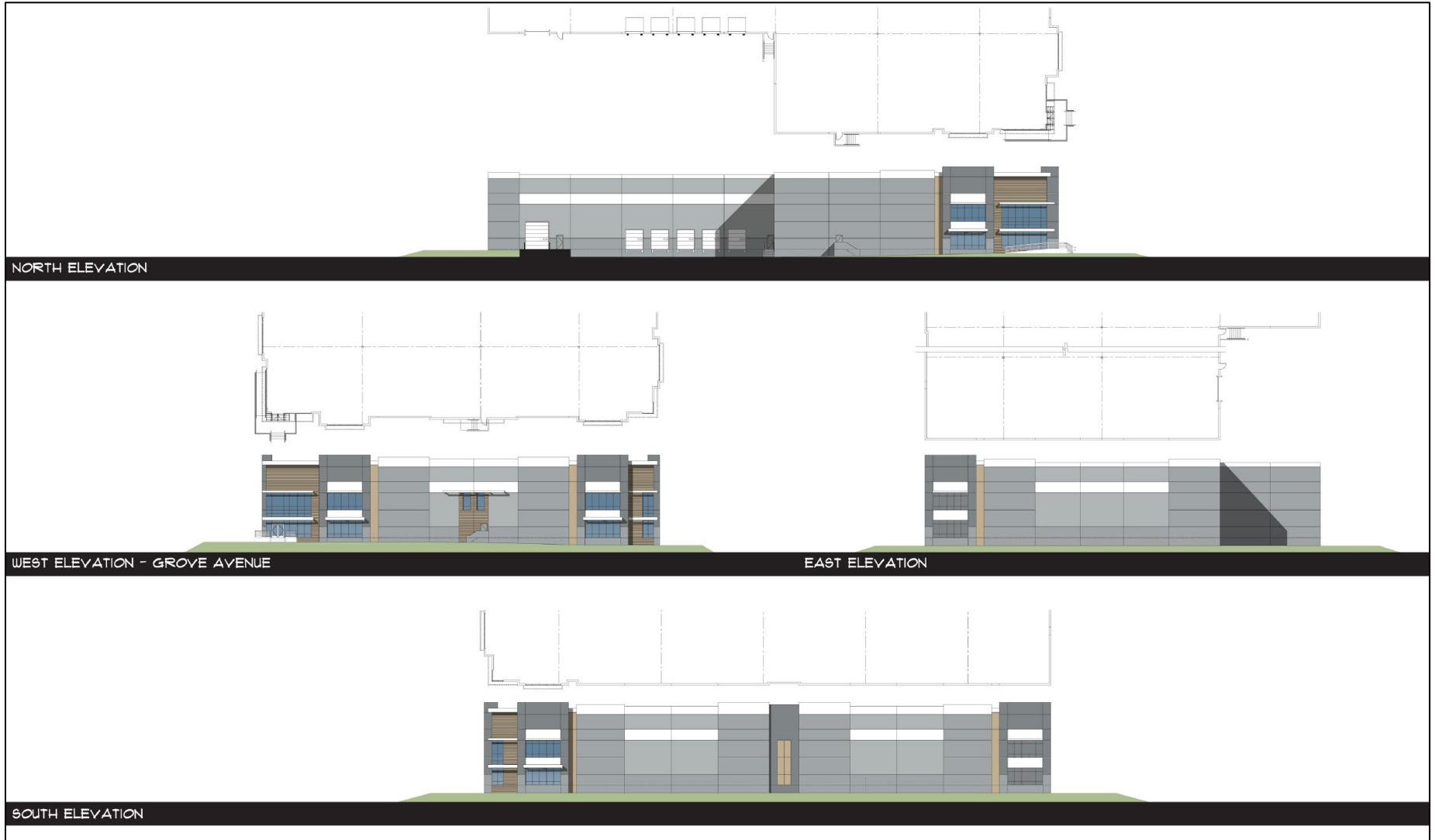
Exhibit B-2—PHASE 1 SITE PLAN



**Exhibit C—EXTERIOR ELEVATIONS
BUILDING 1**



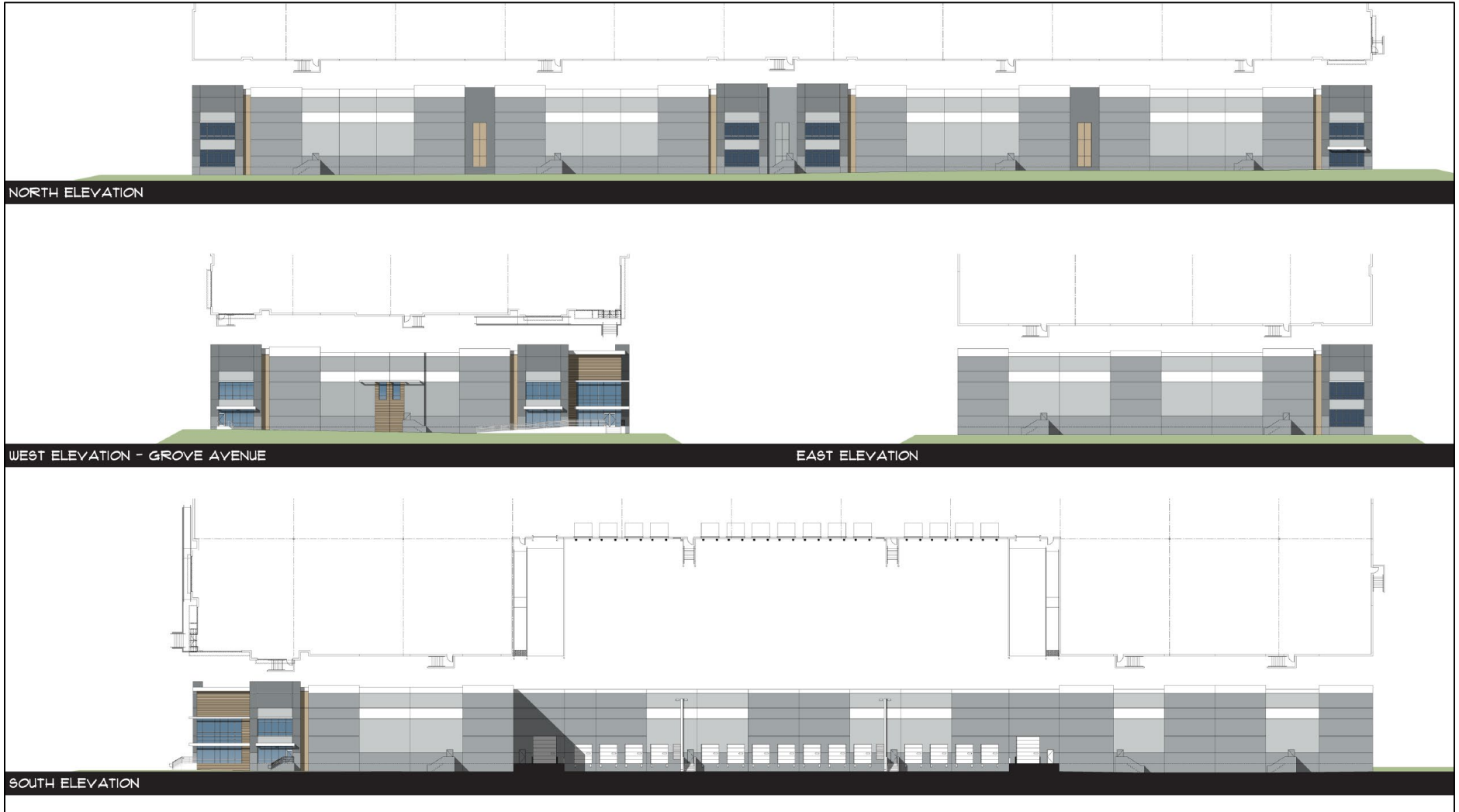
**Exhibit C—EXTERIOR ELEVATIONS CONTINUED
BUILDING 2**



**Exhibit C—EXTERIOR ELEVATIONS CONTINUED
BUILDING 3**



**Exhibit C—EXTERIOR ELEVATIONS CONTINUED
BUILDING 4**



**Exhibit D—LANDSCAPE PLAN
PHASE 1**



**Exhibit D—LANDSCAPE PLAN
 PHASE 2**



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PDEV20-001

Related Files: PMTT20-001

Project Description: A Development Plan to construct 4 industrial buildings totaling 355,254 square feet on 15.74 acres of land located at the southeast corner of Grove Avenue and Francis Street within the Business Park land use designation of the Grove Avenue Specific Plan (APN(s): 113-451-14 & 113-451-27); **submitted by EBS Realty Partners, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

Screen Wall Height	Minimum Gate Height
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.13 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with **The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.14 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.16 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment

and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

(g) Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.17 Additional Requirements.

(a) The Ontario Climate Action Plan (CAP) requires new development to be 25% more efficient. The applicant has elected to utilize the Screening Tables provided in the CAP instead of preparing separate emissions calculations. By electing to utilize the Screening Tables the applicant shall be required to garner a minimum of 100 points to be consistent with the reduction quantities outlined in the CAP. The applicant shall identify on the construction drawings the items identified in the Screening Tables.

(b) Each employee break area shall include seating and a shade tree.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20187 RELATED FILE NO(S). PMTT20-001, PDEV20-001	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20187, a Tentative Parcel Map to subdivide 15.74 acres of land into four (4) parcels within the Grove Avenue Specific Plan

LOCATION: Southeast corner of Grove Avenue and Francis Street

APPLICANT: EBS Realty Partners

REVIEWED BY: Raymond Lee 10/6/20
 Raymond Lee, P.E. Date
 Assistant City Engineer

APPROVED BY: Khoi Do 10-7-20
 Khoi Do, P.E. Date
 City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL:	Check When Complete
---	---------------------

- | | | | |
|-------------------------------------|------|---|--------------------------|
| <input checked="" type="checkbox"/> | 1.01 | Dedicate to the City of Ontario, the right-of-way, described below: | <input type="checkbox"/> |
| | A. | Property line corner 'cut-back' required at the southeast corner of Grove Ave and Francis St. | |
| <input type="checkbox"/> | 1.02 | Dedicate to the City of Ontario, the following easement(s): _____ | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.03 | Restrict vehicular access to the site as follows: _____ | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.04 | Vacate the following street(s) and/or easement(s): | <input type="checkbox"/> |
| | A. | All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company. | |
| | B. | Existing 12.5 feet wide easement along the east side of Parcels 3 and 4 for railroad and incidental purposes to the City of Ontario | |
| <input checked="" type="checkbox"/> | 1.05 | Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. See COA 1.14B. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.06 | Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.07 | For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658 . | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.08 | File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement. | <input type="checkbox"/> |
| | (1) | _____ | |
| | (2) | _____ | |



- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
 - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).
 - C. A 5 feet wide easement for sewer purposes for the benefit of Parcel 2 of Parcel Map No. 2566 through Parcel 1. See COA 2.26A.

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20187 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 - Make a Dedication of Easement.



- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.

- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 2.08 **Submit a soils/geology report.**

- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)
 - Other:**
 - **Southern California Edison (SCE) – for any improvements encroaching into their easements/property**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.

- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:
 - 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.



3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$355,965, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Grove Avenue	Francis Street	Street 3	Street 4
Curb and Gutter	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace (A)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace (B)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace (B)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. Remove existing driveway approaches and replace with sidewalk per City Std. No. 1209.
- B. Remove and replace the existing sidewalk ramp at the SEC of Grove Ave and Francis St to meet current City standards. This includes but is not limited to providing a curb return radius of 45-ft and constructing modifications to the existing traffic signal on Grove Ave and Francis St.

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 **Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.**
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 10-inch sewer main is available for connection by this project in Grove Ave. (Ref: Sewer plan bar code: S11695)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - A. **Existing Private Sewer and Easement Relocation: Relocate existing private sewer lateral serving adjacent property to the east and provide a new private sewer easement along the portion on private property. See COA 1.14C.**
 - B. **Sewer Services: No infiltration flow may be introduced into the public sewer system. Relocate sewer laterals and private sewer systems so that they are not located under or within infiltration areas, detention/retention areas, or bioswales.**

D. WATER

- 2.27 **A 12-inch water main is available for connection by this project in Grove Ave. (Ref: Water plan bar code: W11990)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions: _____

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 **Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.**



- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

- 2.34 Other conditions: _____

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer

- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.

- 2.37 Other conditions:
- A. Design and construct modifications to the existing traffic signal on Grove Ave and Francis St. The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 - B. Design and construct in-fill public street lights and retrofit existing street lights along its project frontage. Street lighting shall be LED-type and in accordance with City's Traffic and Transportation Design Guidelines
 - C. Design and construct proposed driveways in accordance with City of Ontario Standard Drawing No. 1204 for Commercial Driveway.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____.
(Ref: Storm Drain plan bar code: _____)

- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.

- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.

- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.

- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.



2.43 Other conditions: _____

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcountry.gov/dpw/land/npdes.asp>.**

2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.

2.47 Other conditions: _____

J. SPECIAL DISTRICTS

2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.

2.49 Other conditions: _____

K. FIBER OPTIC

2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Grove Ave and Francis St.**

2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**



L. Solid Waste

- 2.52** Onsite solid waste shall be designed in accordance with the City’s Solid Waste Manual location at:
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.53** Other conditions:
 - A. Prior to approval of any building permits, submit a Final Solid Waste Handling Plan Sheet accompanying the Precise Grading Plan Submittal to the City/OMUC for review and approval. See Solid Waste Handling Plan (SWHP) Requirements document for details.
 - i. Organics Separation and Collection: This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
 - B. The applicant shall submit a Final Integrated Waste Management Report that complies with the “Integrated Waste Management Report Requirements” document for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.) generated by the project.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01** Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02** Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04** NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05** Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.



- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.

- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PDEV20-001, PMTT20-001, and/or Parcel Map No. 20187

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
7. Three (3) sets of Public Street improvement plan with street cross-sections
8. Three (3) sets of Private Street improvement plan with street cross-sections
9. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
10. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
11. Four (4) sets of Public Sewer improvement plan
12. Five (5) sets of Public Storm Drain improvement plan
13. **Three (3) sets of Public Street Light improvement plan**
14. Three (3) sets of Signing and Striping improvement plan
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
28. Other: _____

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off

	09/22/2020
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PDEV20-001 & PMTT20-001	Case Planner: Lorena Mejia
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Project Name and Location:
 4 Industrial Bldgs – Grove Ave Specific Plan
 SE corner of Grove Ave and Francis Street

Applicant/Representative:
 EBS Realty Partners LLC
 1300 N Bristol Suite 290
 Newport Beach, CA 92660

A Preliminary Landscape Plan (dated 09/10/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.

A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Provide an arborist report, and tree inventory for existing trees include genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. A total of 707 inches of tree replacement is required to be mitigated.
2. Show on demo plans and landscape construction plans trees to be preserved, removed, or mitigation measures for trees removed, such as:
 - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
 - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
 - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
 - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners.
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.

5. Show outdoor employee break area with table or bench and shade trees on the south and west sides.

Landscape Plans

6. Show corner ramp and sidewalk per city standard drawing 1213.
7. Show enhanced paving at drive entries and employee outdoor break areas.
8. Coordinate with civil and Engineering Department for parkway locations (behind the sidewalk).
9. Provide evergreen or deciduous background trees along Grove Avenue to contrast with street trees and triangularly space between them.
10. Limit use of succulents and aloes to protected accent areas.
11. Call out all fences and walls, materials proposed, and heights.
12. Show outdoor employee break area with table or bench and shade trees on the south and west sides.
13. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,791.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$600.00</u>
Total.....	\$3,391.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: February 25, 2020

SUBJECT: PDEV20-001- A DEVELOPMENT PLAN TO CONSTRUCT 4 INDUSTRIAL BUILDINGS TOTALING 206,886 SQUARE FEET, LOCATED AT THE SOUTHEAST CORNER OF GROVE AVENUE AND FRANCIS STREET.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: February 18, 2020

SUBJECT: PDEV20-001 – A Development Plan to construct 4 industrial buildings totaling 206,886 square feet on 15.74 acres of land located at the southeast corner of Grove Avenue and Francis Street, within the Office/Commercial land use district of the Grove Avenue Specific Plan (APNs: 0113-451-14 and 0113-451-27). Related File: PMTT20-001.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type III-B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): Varies, 3 Buildings – Largest being 120,821 Sq. Ft.
- D. Number of Stories: 1 with Mezzanine
- E. Total Square Footage: 3 Buildings totaling 228,886 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): S

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 3750 gallons per minute (g.p.m.) for 4 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and Fire Department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

<END.>

1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
2. Communication systems proposed for on-site facilities will be placed underground within a duct and structure system to be installed by the developer. Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement generally, will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today’s technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:
 - Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City’s Structured Wiring ordinance
 - Allows for uniform receipt & distribution of technology services
 - Ensures scalability of wiring for future technology advances
 - Provides consistent & identical wiring protocols throughout developments
 - Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity
 - Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
6. Building Entrance (Multi-family) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
7. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
8. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City’s website for additional details.
9. A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 05, 2020
SUBJECT: PDEV20-001

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT20-001 & PDEV20-001

Address: Southeast corner of Grove Avenue and Francis Street

APN: 113-451-14 & 113-451-27

Existing Land Use: Industrial Building/Vacant/Private Athletic Fields

Proposed Land Use: Tentative Parcel Map to subdivide 15.74 acres of land into 4 parcels and a development plan to construct 4 industrial buildings totaling 355,254 square feet

Site Acreage: 15.74 acres Proposed Structure Height: 44

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 10/13/2020

CD No.: 2020-010

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft plus</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PCUP20-009

DESCRIPTION: A Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for on-premises consumption, limited to beer and wine (Type 20 ABC license) within a 3,062 square foot convenience store (7-Eleven) with fuel sales on 1.27 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed CC (Community Commercial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

TOSCANA SQUARE, LLC., (herein after referred to as “Applicant”) has filed an application requesting Conditional Use Permit approval, File No. PCUP20-009, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 1.27 acres of land located at northwest corner of Riverside Drive and Milliken Avenue, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Mixed Use	SP (Specific Plan)	Residential & Commercial (Tuscana Village Specific Plan)
<i>North:</i>	Vacant/Vineyard/ Winery	Mixed Use	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) & CC (Community Commercial)	
<i>South:</i>	Vacant	General Commercial	SP (Specific Plan)	Community Commercial (Edenglen Specific Plan)
<i>East:</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)	
<i>West:</i>	Nursery/SCE Easement	OS-NR (Open Space – Non Recreation)	UC (Utilities Corridor)	

(2) **Project Description:**

(a) Background — The Tuscana Village Specific Plan (File No. PSP09-001) and related Mitigated Negative Declaration (“MND”) were approved by the City Council on June 5, 2012. The Tuscana Village Specific Plan established the land use designations, development standards, and design guidelines for the 20-acre Project site. The specific plan allowed for the potential development of 200 residential dwelling units and approximately 871,000 square feet of commercial development. The applicant has requested that the City rescind the Tuscana Village Specific Plan, eliminate the existing residential land use designation, reduce the amount of commercial designated property, and incorporate an industrial land use designation to facilitate the construction of the proposed industrial and commercial development, described below.

On October 9, 2019, the applicant submitted six applications to facilitate the development of the proposed industrial and commercial development, which include:

- A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use, to 7.6 acres of General Commercial and 33.75 acres of Industrial designated properties.
- A Specific Plan Amendment (File No. PSPA19-010) to rescind of the Tuscana Village Specific Plan.
- A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of (Community Commercial) designated properties.
- A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels within the proposed CC (Community Commercial) and IL (Light Industrial) zoning districts.
- A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on approximately 13 acres of land within the proposed IL (Light Industrial) zoning district.

On April 24, 2020, the applicant submitted a Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and an ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license) on 1.27 acres of land located within the proposed CC (Community Commercial) zoning district.

On June 3, 2020, the applicant submitted a Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land located within the proposed CC (Community Commercial) zoning district.

(b) Site Design/Building Layout — Proposed, is the construction of a 3,062 square foot convenience store (7-Eleven), an ancillary drive-thru car wash (991 SF) and fueling

station in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for a Type 20 ABC license (Off-Sale Beer and Wine) located at the northwest corner of Riverside Drive and Milliken Avenue (see Exhibit B—Site Plan, attached). The Project occupies Parcel 4 of the proposed Tentative Parcel Map (File No. PMTT19-018/TPM 20177) being processed concurrently with this Development Plan. The convenience store is centered along the northern property line, with the front entrance facing south, towards Riverside Drive.

(c) Site Access/Circulation — The Tentative Parcel Map (File No. PMTT19-018) submitted in conjunction with the subject Application, will facilitate the construction of internal public/private streets (“A” Street and “B” Street) and common drive aisles that will serve the overall Project site. Proposed is a 40-foot wide public street (“A” Street - 66-foot right-of-way) that runs north-south through the Project site and is accessed from Riverside Drive, approximately 600 feet west of Milliken Avenue. The public street is proposed to extend north, beyond the Project site, and terminate at a cul-de-sac to be constructed with future development, as shown on Exhibit C—Conceptual Site Plan. A private street (“B” Street) is proposed along the northern property line which runs east-west, with access from Milliken Avenue located approximately 800 feet north of Riverside Drive. “B” Street intersects with “A” Street and transitions into a drive-aisle, west of “A” Street.

The Project site will have one access point from Riverside Drive, via a 40-foot wide driveway located at the southeast corner of Parcel 1, approximately 250 feet west of Milliken Avenue. The site will also have two points of access from Milliken Avenue, including “B” Street, as well as a 40-foot wide driveway located approximately 150 feet north of the Riverside Drive, on Parcel 4 (7-Eleven). The Project will also be accessed by a 26-foot wide common drive-aisle that runs north-south between the commercial and industrial land uses.

(d) Parking — The Project has provided the required off-street parking pursuant to the “Self-Serve and Full Service Fueling” and “General Convenience Retail Store” parking standards specified in the Development Code. The Project requires a total of 17 off-street parking spaces, and 27 spaces have been provided, exceeding the minimum requirements.

(e) Proposed Operations — The proposed CUP will allow for the sales of beer and wine for off-premises consumption. The proposed hours of operations for the convenience store is 24 hours per day, 7 days per week. The store’s main entrance is centered along the southern elevation and the alcohol sales display area will be located within northwest corner of the building (see Exhibit C—Floor Plan). The applicant is proposing to occupy three coolers for beer and wine, totaling 24 square feet, which occupies less than 2 percent of the building’s gross floor area. There will be approximately 10 to 15 full-time employees, with 2 to 4 employees per shift.

The Applicant will adopt extra security measures to ensure customers do not drink on site and will install signs to enforce no consumption of alcoholic beverages on-site. Employees engaged in the sales of alcoholic beverages will be required to complete a training program approved by ABC and the City of Ontario Police Department. Furthermore, the Police Department has conditioned the sale of alcoholic beverages to occur only between the hours 6:00 AM and 2:00 AM, daily.

(f) ABC License Concentrations — The California Department of Alcoholic Beverage Control (“ABC”) is the controlling State entity with authority to grant, renew, and revoke

all ABC licenses. ABC determines how many on-sale and off-sale alcoholic beverage license types should be issued per Census Tract, based upon their populations. The Project site is located within Census Tract 127, which is over-concentrated with off-sale alcoholic beverage licenses. The department of Alcoholic Beverage Control allows for 2 off-sale alcohol licenses, and there are currently 9 active off-sale alcohol licenses within Census Tract 127; however, Development Code Section 5.03.025.F.4 grants the Approving Authority to make a determination of Public Convenience or Necessity ("PCN"), thereby allowing the issuance of additional ABC licenses within overconcentrated census tracts.

The PCN findings require that proposed retail alcohol licenses not be located within a high crime area. A high crime is defined as an area characterized by a high ratio of Police Department calls for alcohol-related incidences. The immediate area (one-half mile radius of Project site) shall not exceed 20 percent greater calls for service than when compared to Citywide incidents. The City of Ontario had a total of 310 calls for service related to alcohol-related reports Citywide, including, but not limited to, driving while intoxicated or under the influence, alcohol violations, and drunk in public within the last 12 months. Within a one-half mile radius of the Project site, there were a total of 5 alcohol-related incidences in the past year, which amounts to 1.6 percent of alcohol-related incidences, which does not exceed the maximum 20 percent allowed by the Development Code for alcohol-related incidences near the CUP location. Therefore, in this case, the Planning Commission may make a PCN determination and grant the requested CUP.

(g) Land Use Compatibility – A CUP is required for the retail sale of alcoholic beverages whether intended for consumption on or off premises. A review is required to ensure the compatibility of adjacent uses by identifying potential nuisance activities and establishing measures for mitigation accordingly. The introduction of alcoholic beverage sales, within the proposed 7-Eleven convenience store with fuel sales, will provide further convenience to customers and will not intensify the land use. Therefore, staff believes that the recommended Conditions of Approval will sufficiently mitigate any potential impacts that may be associated with the proposed alcoholic beverage sales.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as "EIR Addendum") in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that

the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as "DAB") the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, as the first action on the Project, on October 19, 2020, the DAB issued a Decision recommending the Planning Commission recommend approval to the City Council of the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, the subject Conditional Use Permit (File No. PCUP20-009) Application was filed in conjunction with: [1] A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use (Hamner/SR-60 Area 12) to 7.6 acres of General Commercial and 33.75 acres of Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; [2] A Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan; [3] A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial); [4] A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7

parcels; [5] A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on 13.19 acres of land; [6] A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and ancillary drive-thru car wash, on 1.27 acres of land; and [7] A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land; and

WHEREAS, approval of this Project is contingent upon the City Council approving a General Plan Amendment (File No. PGPA19-007), rescinding the Tuscana Village Specific Plan (File No. PSPA19-010), a Zone Change (File No. PZC19-002) and an EIR Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), which was certified on January 27, 2010; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 2: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.***

The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the proposed Community Commercial zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed convenience store land use with an ancillary Type 20 ABC license will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Community Commercial zoning district; and

(2) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.***

The proposed convenience store land use with an ancillary Type 20 ABC license will be located within the proposed General Commercial land use district of the Policy Plan Land Use Map, and the proposed Community Commercial zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(3) ***The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.***

The proposed convenience store land use with an ancillary Type 20 ABC license is located within the proposed General Commercial land use district, and the proposed Community Commercial zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code; and

(4) ***The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.***

The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; and [iv] the Project will be in harmony with the surrounding area in which it is proposed to be located.

SECTION 4: City Council Required Actions. Approval of this Project is contingent upon City Council approving a General Plan Amendment (File No. PGPA19-007), Zone Change (File No. PZC19-002), Specific Plan Amendment (File No. PSPA19-010), and an EIR Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) that was certified on January 27, 2010.

SECTION 5: *Development Advisory Board Action.* Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

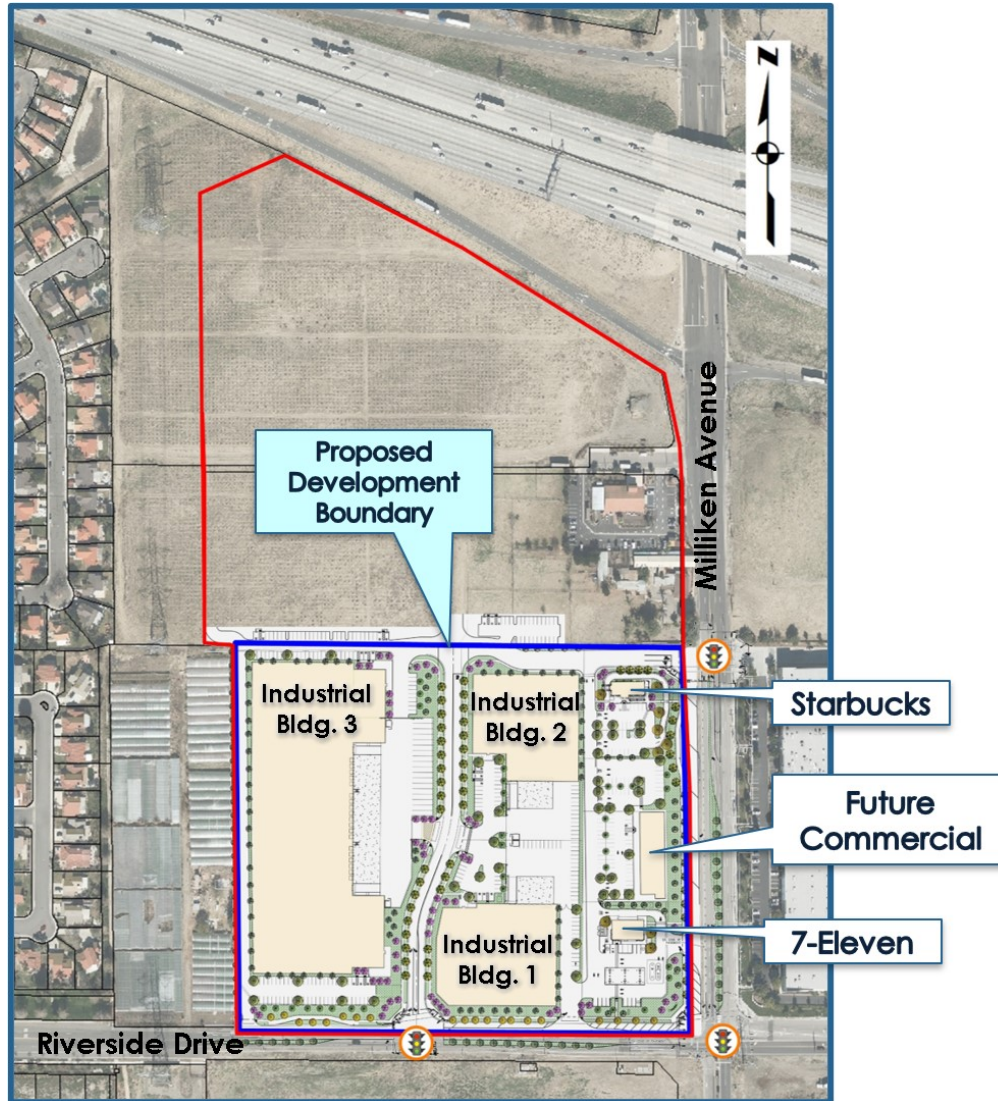
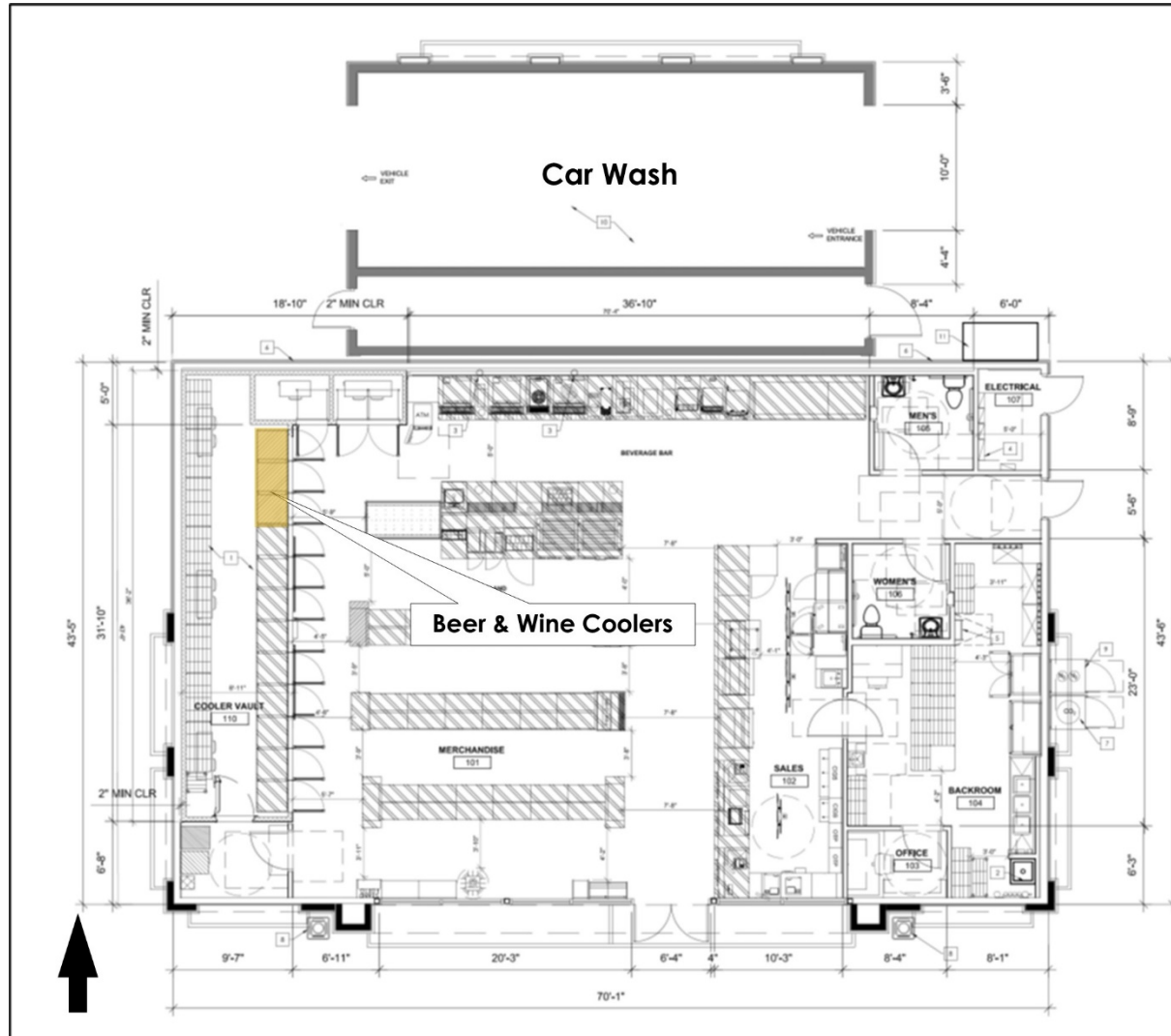


Exhibit C—FLOOR PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PCUP20-009

Related Files: PGPA19-007, PZC19-002, PSPA19-010, PMTT19-018, PDEV20-012, PDEV20-013 and PDEV19-059

Project Description: A Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for on-premises consumption, limited to beer and wine (Type 20 ABC license) within a 3,062 square foot convenience store (7-Eleven) with fuel sales on 1.27 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed CC (Community Commercial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Conditional Use Permit approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.8 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). A comprehensive sign program shall be submitted for all parcels associated with PMTT19-018.

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Alcoholic Beverage Sales—General.

(a) No upgrade/change of an alcoholic beverage license type may occur until a minimum one-year of operations under the approved license type has occurred.

(b) The business shall be operated in strict compliance with the rules, regulations and orders of the State of California Department of Alcoholic Beverage Control. Failure to comply with this requirement shall be deemed just cause for revocation of conditional use permit approval.

(c) Coinciding with the annual Police Department inspection, the Planning Department shall conduct a review of the approved use and shall prepare for Zoning Administrator consideration, a status report identifying impacts associated with the use and any non-compliance with the conditions of approval. In addition, such status report shall contain a police report regarding calls for service to the subject premises during the prior one year period. Nothing herein shall modify or limit the City's ability to regulate the business or modify or revoke the permit upon the City's determination that the business is being operated in a manner adverse to the public health, safety and welfare.

(d) Signs shall comply with all City of Ontario sign regulations. No more than 25 percent of the total window area shall bear advertising or signs of any sort. Window signs shall be placed and maintained in a manner so that there is clear and unobstructed view of the interior of the premises from the building exterior.

(e) The rear doors shall be kept closed at all times during the operation of the premises, except in case of emergency or to permit deliveries.

(f) In the event that security problems occur as a result of the approved subject use and at the request of the Police Department, the permittee, at his/her own expense, shall provide a California licensed, uniformed security guard(s) on the subject premises, during such hours and in such number as requested by the Police Department.

(g) The licensee shall attend a LEAD (Licensee Education on Alcohol and Drugs) training secession sponsored by the State of California Department of Alcoholic Beverage Control, within 6 months following commencement of the approved use.

(h) A clearly legible copy of the herein-listed conditions of approval shall be posted at all times at a prominent place in the interior of the premises.

(i) Live entertainment shall be prohibited.

(j) Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible outside the walls of the business establishment.

(k) Electronic arcade and amusement games shall be prohibited on-site, unless specifically permitted by the Police Department and shown on the approved site plan.

2.12 Alcoholic Beverage Sales—Convenience Markets and Liquor Stores.

(a) A clearly legible sign not less than 7 inches by 11 inches in size, reading "NO LOITERING IS ALLOWED ON OR IN FRONT OF THESE PREMISES," shall be posted at or near each public entrance of the premises. A sign of like size and content shall also be maintained at a prominent place in the interior of the premises.

(b) A clearly legible sign not less than 7 inches by 11 inches in size, reading "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES," shall be posted at or near each public entrance of the premises. A sign of like size and content shall also be maintained at a prominent place in the interior of the premises.

(c) All provisions of the Alcoholic Beverage Control Act (Business and Professions Code Section 23000 et seq.) pertaining to the sale of beer and wine for off-premise consumption in conjunction with gasoline service stations shall be complied with, including, but not limited to, the following:

(i) No beer or wine shall be displayed within 5 feet of the cash register or the front door, unless it is in a permanently affixed cooler.

(ii) No advertisement of alcoholic beverages shall be displayed at motor fuel islands.

(iii) No sale of alcoholic beverages shall be made from a drive-thru window.

(iv) No display or sale of beer or wine shall be made from an ice tub.

(v) No illuminated advertising for beer or wine shall be located on building exteriors or in windows.

2.13 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately

analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.14 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.16 Additional Requirements.

(a) The Tentative Parcel Map shall not be final and conclusive until the General Plan Amendment (File No. PGPA19-007), the Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan and Zone Change (File No. PZC19-002) are approved by the City Council.



CITY OF ONTARIO

MEMORANDUM

“Excellence Through Teamwork”



TO: Lorena Mejia, Senior Planner

FROM: Emily Hernandez, Police Officer
Revised October 7, 2020 by Rick Rees, Police Officer

DATE: May 19, 2020

SUBJECT: PCUP20-009 (ABC) – 7-ELEVEN- 4291 E Riverside Drive

The Ontario Police Department has researched the request for an off-site type 20 (beer & wine) alcohol license for 7-Eleven, located at 4291 E Riverside Drive, the northwest corner of Milliken Avenue and Riverside Drive, in the city of Ontario. The requested license is within census tract 127.00 which is over-concentrated with off-sale alcohol licenses. The department of Alcohol Beverage Control authorizes two (2) off-sale alcohol licenses for this tract. There are currently nine (9) active off-sale alcohol licenses within census tract 127.00. The Ontario Police Department does not approve or deny Conditional Use Permits or ABC licenses. The Ontario Police Department has no objections to the approval of PCUP20-009, which is at the discretion of the City of Ontario Planning Department. However, due to the facts listed above, the Ontario Police Department recommends the applicant obtain a license approval from the State Department of ABC prior to moving forward.

If a Conditional Use Permit is granted, the location must follow all Department of Alcohol Beverage Control and Ontario Police Department rules and conditions. If approved, the following conditions of approval shall be imposed by the Ontario Police Department:

ABC CONDITIONS

1. Sales of alcohol will occur between the hours of 06:00 a.m. to 02:00 a.m. daily. After 02:00 a.m., coolers storing alcohol must be locked.
2. Applicant will follow all conditions per Business and Professions Code 23790.5(d) - Concurrent sales of alcohol and gasoline.
3. No sales or service to minors.

4. No sales or service to intoxicated patrons.
5. No open alcohol beverages in the establishment.
6. No alcohol sales through any pass-through type windows.
7. No drug paraphernalia will be sold at any time.
8. No smoking is permitted inside of the establishment, including any type of electronic delivery device.
9. Single sales of beer, cans or bottles, will not be allowed.
10. Wine shall not be sold in containers less than 750ml.
11. Wine coolers must be sold in four packs.
12. The sale of distilled spirits is not permitted.
13. All alcohol sales must be placed in a plastic or paper bag before leaving the store.
14. No more than four (4) doors on the walk-in cooler shall be designated for beer and wine.
15. Employees engaged in the sales of alcohol must be 18 years of age or older.
16. No more than 25% of advertisements are allowed on the windows of the business.
17. The cashier must be visible from the parking lot. No advertisements, window decorations, or window tint, obscuring this view will be permitted.
18. No loitering shall be permitted on any property adjacent to the licensed premise, which is under the control of the applicant, and signs must be posted.
19. Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.
20. The applicant will be responsible for keeping the grounds of the business clean from debris and litter.

21. The parking lot of the premises shall be equipped with a maintained lighting device capable of providing a minimum of one-foot candle of light at ground level.
22. Applicant shall not encourage or permit alcoholic beverages to be consumed on any property adjacent to the licensed premises under the control of the applicant, and signs must be posted.
23. The applicant shall modify or equip any public telephones inside or adjacent to the establishment to prevent incoming calls.
24. Applicant and all employees must attend an Alcohol Beverage Control (ABC) L.E.A.D.'s training class or a certified responsible beverage service class, which has been approved by ABC and Ontario Police Department, within six months of commencement of business. Proof of re-certification is required every 3 years. New employees must attend a training class within six months of their hire date.
25. The business shall maintain a security camera surveillance system in proper working order. A minimum of one camera will record the main entrance, to monitor patrons entering and exiting. A minimum of one camera will record the parking lot. A minimum of one camera will record each register. Each camera will record at least 720p recording resolution levels, and at least fifteen (15) frames per second. The field of view for each camera will be to maximize the coverage of patrons. Recorded video will be stored for a minimum of 30 days and made available to the police department upon request.

TOBACCO CONDITIONS

1. No tobacco sales to anyone under 21 years of age.
2. Retailers must post age of sale warning signs at each cash register. These signs must be in compliance with the Stake Act.
3. No self-service displays of tobacco products are allowed. Tobacco products must be stored behind the counter.
4. Sales of individual cigarettes are prohibited.
5. Roll-your-own tobacco in packaging containing less than 0.6 ounces is prohibited.
6. The distribution of free or low-cost tobacco products or coupons is prohibited.
7. Outdoor and storefront signs advertising tobacco may not exceed 14 square feet.

If alcohol or tobacco related crimes at this location are higher than four other similar establishments in the overall City during any quarter, the CUP will automatically be referred to the Zoning Administrator for review and re-conditioning or revocation of the permit. The

Ontario Police Department may, at their sole discretion, request a revocation hearing if they determine that the establishment is being operated in violation of this CUP or has violated applicable laws.

A copy of the listed conditions of approval must be posted on the premises with the ABC license and Tobacco Retail license at all times, in a prominent place in the interior of the premises.

The Ontario Police Department and the Ontario Planning Department will conduct an inspection before the location will be allowed to sell alcoholic beverages, to ensure compliance with the conditional use permit.

The Police Department will conduct a review six months after commencement of business at the location to determine whether additional conditions will be needed. These conditions are in addition to any conditions imposed by the Ontario Police Department, under this CUP or related file.

The Applicant is invited to contact Officer Rees at (909) 408-1660 with any questions or concerns regarding these conditions.



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: May 7, 2020

SUBJECT: PCUP20-009 – A Conditional Use Permit to establish alcoholic beverage sales, including a Type 20 ABC License for off-premise consumption in conjunction with an existing/a proposed 3,062-square foot convenience store on 1.4 acres of land located at the northwest corner of Milliken Avenue and Riverside Drive, within the Commercial Land Use District of the Tuscana Village Specific Plan (APN(s): 1083-361-01). Related File(s): PDEV20-012.

-
- The plan **does** adequately address Fire Department requirements at this time.
- No Comments.
-



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

REVISION NO. _____

FROM: Lorena Mejia, Senior Planner

DATE: September 08, 2020

SUBJECT: **FILE #: PCUP20-009**

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

PROJECT DESCRIPTION: A Conditional Use Permit to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC License), in conjunction with a proposed 3,062 square foot convenience store on 1.4 acres of land located at the northwest corner of Milliken Avenue and Riverside Drive, within the Commercial land use district of the Tuscana Village Specific Plan (APN: 1083-361-01). Related File: PDEV20-012.

The plan does adequately address the departmental concerns at this time.

- No comments
- See previous report for Conditions
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning *Jamie Richardson* Landscape Planner 9/21/2020
Department Signature Title Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PGPA19-07,ZC19-02,PSPA19-10,PMTT19-18,PDEV19,059,20-12, 13&PCUP20-9
 Address: NWC of Riverside Drive and Milliken Avenue
 APN: 1083-361-01, 1083-361-04 & 1083-361-07
 Existing Land Use: Vacant/Agriculture/Winery and restaurant
 Proposed Land Use: GPA (ZC) from Mixed Use (SP, LDR-5 & CC) to GC (CC) & Ind (IL); SPA to rescind an SP; TPM sub. 20 acres into 7 parcels; PDEV for 3 Ind. & 2 Comm Bldgs
 Site Acreage: 41.35 acres Proposed Structure Height: 45 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 4/6/16
 CD No.: 2020-014
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft plus</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 28, 2020
SUBJECT: PCUP20-009

1. The plan **does** adequately address the departmental concerns at this time.
No comments.

KS:lr



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV20-012

DESCRIPTION: A Development Plan to construct a 3,062 square foot convenience store (7-Eleven), with fuel sales and an ancillary drive-thru car wash (991 SF) on 1.27 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed CC (Community Commercial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC. Planning Commission action is required.**

Part I—BACKGROUND & ANALYSIS

TOSCANA SQUARE, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV20-012, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of 1.27 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, and is depicted in Exhibit A—Aerial Photograph, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Mixed Use	SP (Specific Plan)	Residential & Commercial (Tuscana Village Specific Plan)
<i>North:</i>	Vacant/Vineyard/ Winery	Mixed Use	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) & CC (Community Commercial)	
<i>South:</i>	Vacant	General Commercial	SP (Specific Plan)	Community Commercial (Edenglen Specific Plan)
<i>East:</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)	
<i>West:</i>	Nursery/SCE Easement	OS-NR (Open Space – Non Recreation)	UC (Utilities Corridor)	

(2) **Project Description:**

(a) **Background** — The Tuscana Village Specific Plan (File No. PSP09-001) and related Mitigated Negative Declaration (“MND”) were approved by the City Council on June 5, 2012. The Tuscana Village Specific Plan established the land use designations, development standards, and design guidelines for the 20-acre Project site. The specific plan allowed for the potential development of 200 residential dwelling units and approximately 871,000 square feet of commercial development. The applicant has requested that the City rescind the Tuscana Village Specific Plan, eliminate the existing residential land use designation, reduce the amount of commercial designated property, and incorporate an industrial land use designation to facilitate the construction of the proposed industrial and commercial development, described below.

On October 9, 2019, the applicant submitted six applications to facilitate the development of the proposed industrial and commercial development, which include:

- A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use, to 7.6 acres of General Commercial and 33.75 acres of Industrial designated properties.
- A Specific Plan Amendment (File No. PSPA19-010) to rescind of the Tuscana Village Specific Plan.
- A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of (Community Commercial) designated properties.
- A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels within the proposed CC (Community Commercial) and IL (Light Industrial) zoning districts.
- A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on approximately 13 acres of land within the proposed IL (Light Industrial) zoning district.

On April 24, 2020, the applicant submitted a Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and an ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license) on 1.27 acres of land located within the proposed CC (Community Commercial) zoning district.

On June 3, 2020, the applicant submitted a Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land located within the proposed CC (Community Commercial) zoning district.

(b) **Site Design/Building Layout** — Proposed, is the construction of a 3,062 square foot convenience store (7-Eleven), an ancillary drive-thru car wash (991 SF) and fueling

station located at the northwest corner of Riverside Drive and Milliken Avenue (see Exhibit B—Site Plan, attached). The Project occupies Parcel 4 of the proposed Tentative Parcel Map (File No. PMTT19-018/TPM 20177) being processed concurrently with this Development Plan. The convenience store is centered along the northern property line, with the front entrance facing south, toward Riverside Drive. The ancillary car wash is attached on the north side of the convenience store building, with the tunnel entrance facing east and exit facing west.

The building is setback approximately 170 feet from the south (Riverside Drive) property line, approximately 85 feet from the east (Milliken Avenue) property line, 64 feet from the west (interior) property line, and 16 feet from the north (interior) property line. Parking for employees and customers has been provided immediately south of the building and along the south property line. The proposed convenience store floor plan includes a food sales area, cashier area, walk-in coolers, storage area, office, two restrooms, and electrical room (see Exhibit B-1—Convenience Store Floor Plan, attached).

The 86-foot by 36-foot fuel canopy is centrally located on the southern portion of the Project site, directly south of the convenience store, and contains six fuel dispensing islands. The overall canopy height is 19 feet with a 14.5-foot interior clear height. A two-way drive aisle, with adequate truck maneuvering, surrounding the fuel canopy has been provided to accommodate standard vehicles, trash trucks, and truck-tractor trailers. The fuel canopy will be located approximately 60 feet south of the convenience store, approximately 83 feet from the east (Milliken Avenue) property line, approximately 50 feet from the west interior property line, and approximately 45 feet from the south (Riverside Drive) property line.

(c) Site Access/Circulation — The Tentative Parcel Map (File No. PMTT19-018) submitted in conjunction with the subject Application, will facilitate the construction of internal public/private streets (“A” Street and “B” Street) and common drive aisles that will serve the overall Project site. Proposed is a 40-foot wide public street (“A” Street - 66-foot right-of-way) that runs north-south through the Project site and is accessed from Riverside Drive, approximately 600 feet west of Milliken Avenue. The public street is proposed to extend north, beyond the Project site, and terminate at a cul-de-sac to be constructed with future development, as shown on Exhibit C—Conceptual Site Plan. A private street (“B” Street) is proposed along the northern property line which runs east-west, with access from Milliken Avenue located approximately 800 feet north of Riverside Drive. “B” Street intersects with “A” Street and transitions into a drive-aisle, west of “A” Street.

The Project site will have one access point from Riverside Drive, via a 40-foot wide driveway located at the southeast corner of Parcel 1, approximately 250 feet west of Milliken Avenue. The site will also have two points of access from Milliken Avenue, including “B” Street, as well as a 40-foot wide driveway located approximately 150 feet north of the Riverside Drive, on Parcel 4 (7-Eleven). The Project will also be accessed by a 26-foot wide common drive-aisle that runs north-south between the commercial and industrial land uses.

(d) Parking — The Project has provided the required off-street parking pursuant to the “Self-Serve and Full Service Fueling” and “General Convenience Retail Store” parking standards specified in the Development Code. The Project requires a total of 17 off-street parking spaces, and 27 spaces have been provided, exceeding the minimum requirements. The off-street parking calculations for the proposed uses are shown on Table A: Parking Summary, below.

Table A: Parking Summary				
Type of Use	Building Area (SF)	Parking Ratio	Spaces Required	Spaces Provided
Self-Serve and Full Service Fueling		3 spaces minimum; plus, parking requirements for combination uses (e.g., convenience store, food services, motor vehicle repair, etc.). Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser. <i>*Credit: 12 spaces (one per fuel dispenser)</i>	3	*12
Ancillary Car wash	991	1 per 500 SF (APA PAS Report 510/511 Parking Standards)	2	2
General Convenience Retail Store	3,062 SF	4 spaces per 1,000 SF (0.004/SF) of GFA	12	13
TOTAL	4,053 SF		17	27

(e) Architecture — The architectural style of the proposed convenience store consists of a Tuscan design, with a simple box form, and incorporates a stone veneer that surrounds the main entrance and at the base of the building, flat roofs with parapet detailing, and color blocking. The mixture of building materials proposed includes smooth stucco finishes, aluminum canopies with a dark bronze anodized finish, crown molding at the top of the building’s parapet, blue tinted glazing for the windows and storefronts, and metal trellises with vine pockets to provide additional landscaping to soften the building. The fuel canopy has been designed to complement the convenience store, incorporating architectural enhancements at the lower one-half of the columns (see Exhibits C—Elevations, attached).

The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building’s architecture. Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building’s entries and breaks up large expanses of building wall;
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas. Designed to ensure that it’s massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

(f) Landscaping — A substantial landscaped area has been provided along the Project’s Riverside Drive and Milliken Avenue street frontages. The Development Code

requires fueling stations to provide a minimum 20 percent landscape coverage and 34 percent landscape coverage has been provided (see Exhibit D—Conceptual Landscape Plan, attached). The Project includes right-of-way improvements (street widening, curb, gutter, sidewalk, and parkway) along Riverside Drive and Milliken Avenue. A combination of 48-inch, 36-inch, and 24-inch box, and 15-gallon accent and shade trees will be provided on the Project site. The landscape plan also includes a variety of shrubs, grasses, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, the proposed on-site and off-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the Project site.

(g) Signage — The Project requires the submittal of a Sign Program application prior to the installation of signage at the site. The conceptual sign locations and design have been included into the site plan and proposed building elevations for reference. The Project will also include a City of Ontario monument sign located on the southeast corner of the Project site.

(h) Community Meetings — The Planning Department conducted a virtual community meeting via Zoom, to discuss the proposed subject applications. Eleven members of community logged into the Zoom meeting and 6 residents provided comments/questions during the meeting. Additionally, the Planning Department received two emails in opposition to the proposed Project. Below is a list of concerns raised by the community.

i. The lack of viable/substantial commercial shopping centers (grocery stores and full-service restaurants) in the immediate area. In addition, the reduction of commercial land areas will result in substandard commercial uses, such as gas stations, convenience stores and fast-food restaurants. Residents commented that the retail viability studies focus on short term conditions instead of long-term neighborhood serving commercial.

The applicant provided a retail market study prepared by The Concord Group (Dated: December 19, 2019). The Market Study focused on achievable rental rates based on current and historical retail trends. The study looked at land uses, number of households, traffic within a 1, 3, and 5-mile radius from the Project site, which concluded that retail demand was insufficient and could not be supported at the Project site, due to lack of demand and an oversupply of retail space. Supported uses included a gas station and fast-food restaurants, due to traffic counts associated with the 60 freeway on/off ramps located north of the Project site.

ii. Opposition to the GPA and SPA that would allow the construction of large industrial buildings adjacent to the Creekside community. Residents want to preserve the existing General Plan land use designation of Mixed-use and the Tuscana Village Specific Plan to remain in place.

In response to community comments, the buildings have been designed to have an office-like appearance and the western building elevation has been enhanced to provide an attractive view from the adjacent residential development. Large plant/trees will be used along the western property line to create a more visually appealing view from the residential community. The landscape planter along the western property line is approximately 7 feet wide. Additional landscape planters are provided directly adjacent to Building 3, approximately 6 to 12 feet wide.

iii. With the recent Planning Commission approval of the Crowe industrial project to the south, concerns were raised about the potential concentration of industrial uses adjacent to both the Edenglen and Creekside communities.

iv. Opposition to the proposed 7-Eleven, gas station, and the proposed CUP for off-sale beer and wine within proximity to Colony High School and residential land uses.

The service of alcoholic beverage sales is intended for customers 21 years of age and over only. The Applicant has been given Police Department Conditions of Approval and ABC regulations, including but not limited to the following: hours of operation; alcoholic beverage sales designated area; age restrictions; and training class or a certified responsible beverage service class within six months for all employees.

v. Overall issues related to noise, air quality, and truck traffic near existing residential neighborhoods and schools.

In response to community comments/concerns, the related Development Plan (File No, PDEV19-059) has been designed to minimize noise impacts to the residents. The truck yard for Building 3 has been oriented away from the western property line and faces east. This design feature, in conjunction with the 270-foot SCE utility corridor that separates the proposed Project from residential properties to the west, will substantially diminish any noise impacts to the adjacent residential community.

A noise study was completed by Urban Crossroads (October 2020) that analyzed operational noise impact increases along the eastern property line of the Creekside residential community. Urban Crossroads measured existing noise levels on October 10, 2019 and modeled the increased noise that will be generated by the proposed operations at the property. The study concluded that the operation of a typical warehouse distribution center would be up to 39 dBA less than the City Standards (65 dBA daytime and 45 dBA nighttime). Furthermore, the placement of the buildings will assist in the reduction of traffic noise that currently exist from Milliken Avenue and help reduce wind and dust impacts on the existing residential community, from seasonal Santa Ana winds.

vi. Inquiries were expressed regarding the proposed infrastructure, street improvements, bike lanes, and any proposed pedestrian connections to the San Antonio Winery and Juanchos restaurant.

The street frontages along Riverside Drive and Milliken Avenue will be improved (curb, gutter, and sidewalk). The Project will also provide new public and private streets that with full right-of-way street improvements, including sidewalk/pedestrian paths, to the nearby San Antonio Winery and Juanchos restaurant.

vii. Comments were expressed about vagrancy and illegal dumping in the immediate area, as well as existing truck traffic on Riverside Drive and overnight truck parking on Mill Creek Avenue.

The street frontages along Riverside Drive and Milliken Avenue will be improved (curb, gutter, and sidewalk) and no parking will be allowed. The development of the Project site will create more eyes on the street and discourage illegal uses. Also, on-site security patrol will be provided for

the property and assist in preventing any undesirable use of the property at night or weekends, alerting law enforcement of any illegal activity occurring off-site and within the immediate area.

(i) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system within the parking lot. Any overflow drainage will be conveyed to a storm drain connection located at the south end of the Project site.

Part II—RECITALS

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”) and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the environmental impacts of this Project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Development Advisory Board (hereinafter referred to as “DAB”) the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, all members of the DAB of the City of Ontario were provided the opportunity to review and comment on the Application, and no comments were received opposing the proposed development; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, as the first action on the Project, on October 19, 2020, the DAB issued a Decision recommending the Planning Commission recommend approval to the City Council of the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, approval of this Project is contingent upon City Council approving a General Plan Amendment (File No. PGPA19-007), Zone Change (File No. PZC19-002), Specific Plan Amendment (File No. PSPA19-010), and an EIR Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) that was certified on January 27, 2010; and

WHEREAS, the subject Development Plan (File No. PDEV20-012) Application was filed in conjunction with: [1] A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use (Hamner/SR-60 Area 12) to 7.6 acres of General Commercial and 33.75 acres of Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; [2] A Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan; [3] A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial); [4] A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels; [5] A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on 13.19 acres of land; [6] A Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for on-premises consumption, limited to beer and wine (Type 20 ABC license) within a 3,062 square foot convenience store (7-Eleven) with fuel sales on 1.27 acres of land; and [7] A Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land; and

WHEREAS, approval of this Project is contingent upon the City Council approving a General Plan Amendment (File No. PGPA19-007), rescinding the Tuscana Village Specific Plan (File No. PSPA19-010), a Zone Change (File No. PZC19-002) and an EIR Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), which was certified on January 27, 2010; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the Project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 2: ALUCP Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the proposed General Commercial land use district of the Policy Plan Land Use Map, and the proposed Community Commercial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the proposed Community Commercial zoning district, including standards relative to the particular land use proposed (commercial convenience store and fueling station), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (commercial convenience store and fueling station). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 4: City Council Required Actions. Approval of this Project is contingent upon the City Council approving a General Plan Amendment (File No. PGPA19-007), Zone Change (File No. PZC19-002), Specific Plan Amendment (File No. PSPA19-010), and an EIR Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), which was certified on January 27, 2010.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

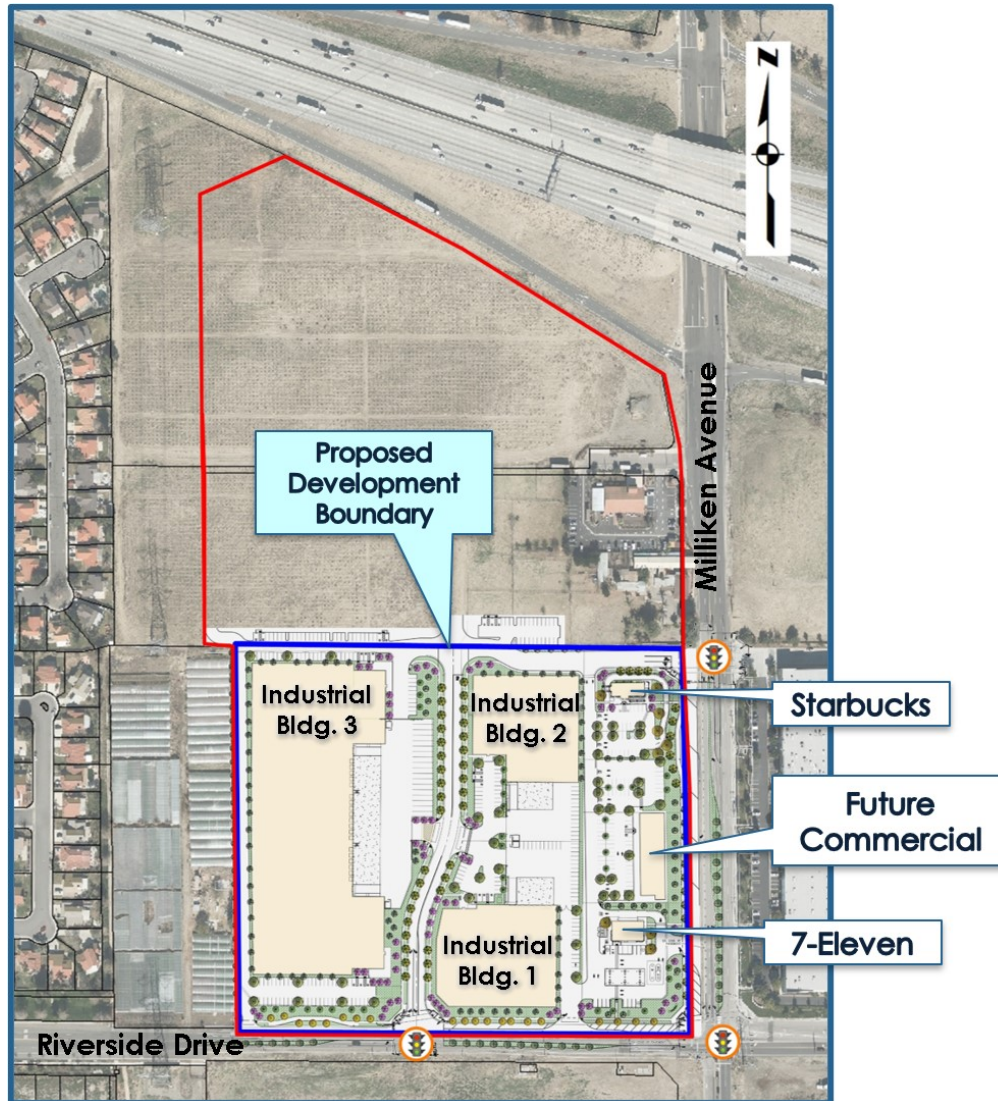


Exhibit B—SITE PLAN

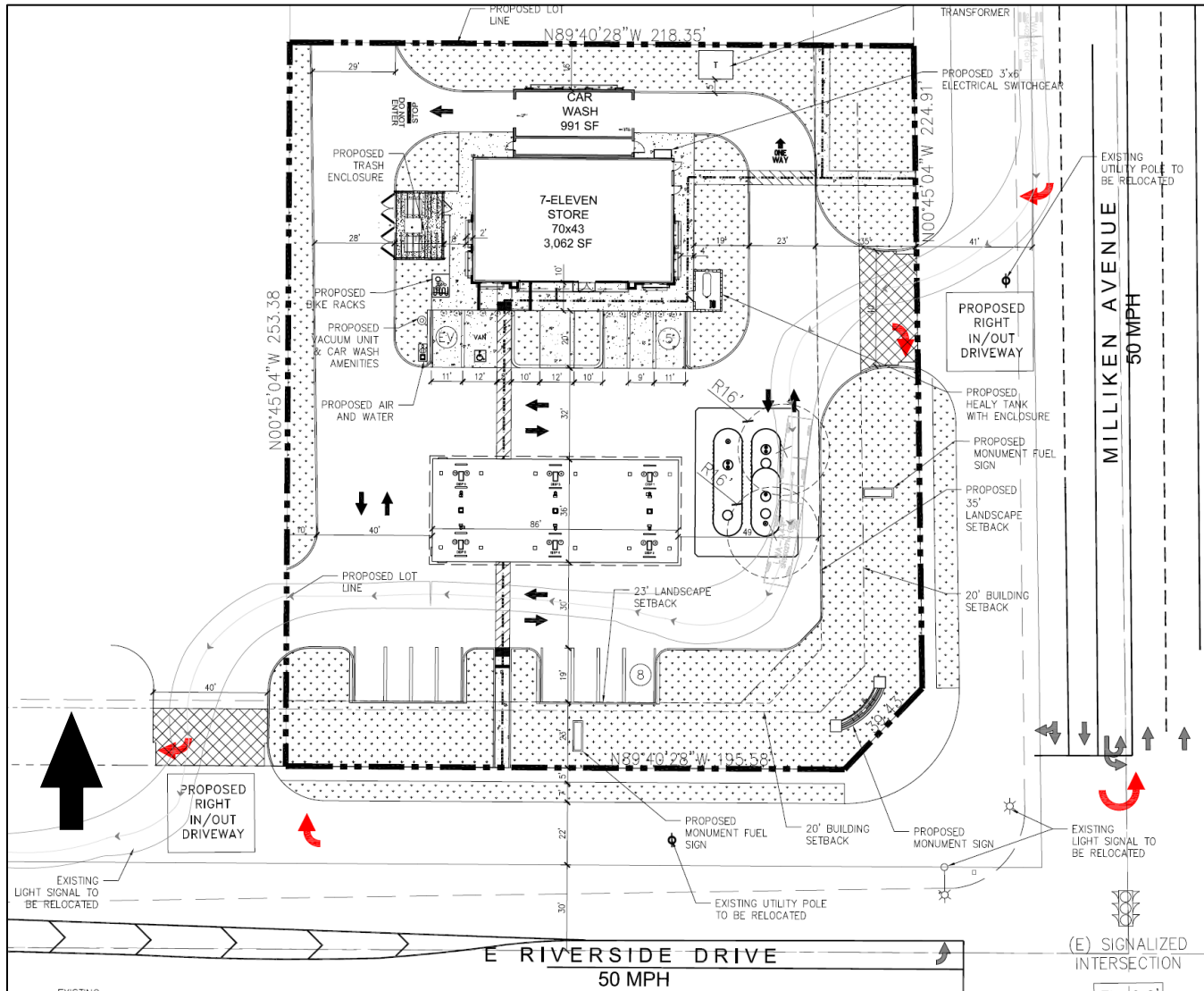


Exhibit B-1—CONVENIENCE STORE FLOOR PLAN

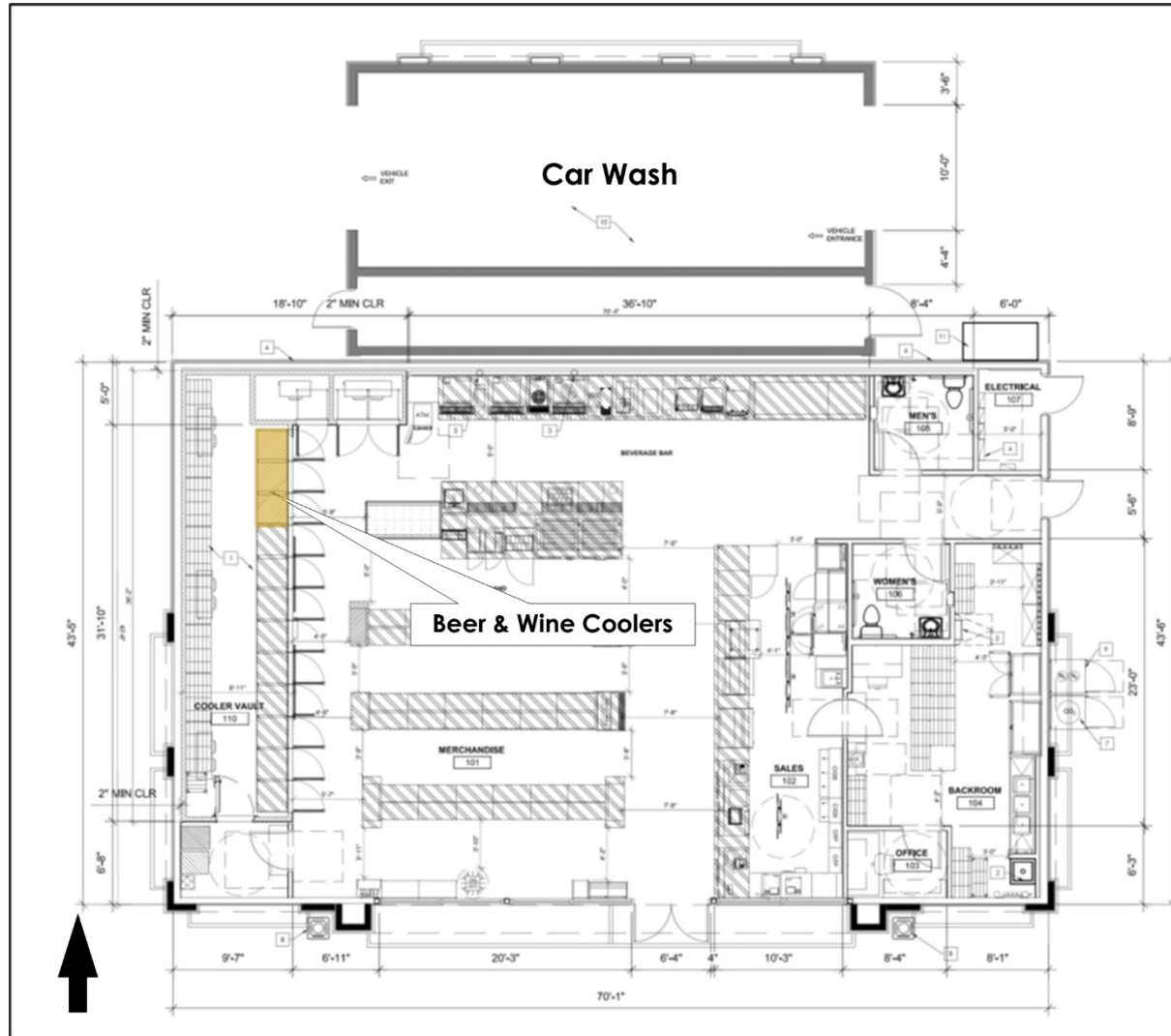


Exhibit C—EXTERIOR ELEVATIONS

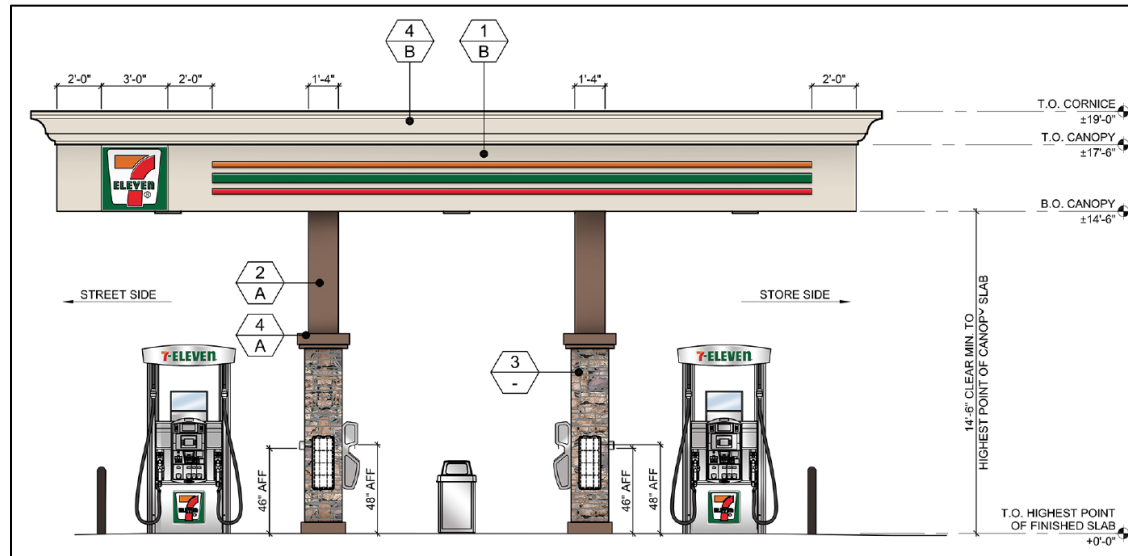


South Elevation (Facing Riverside Drive)

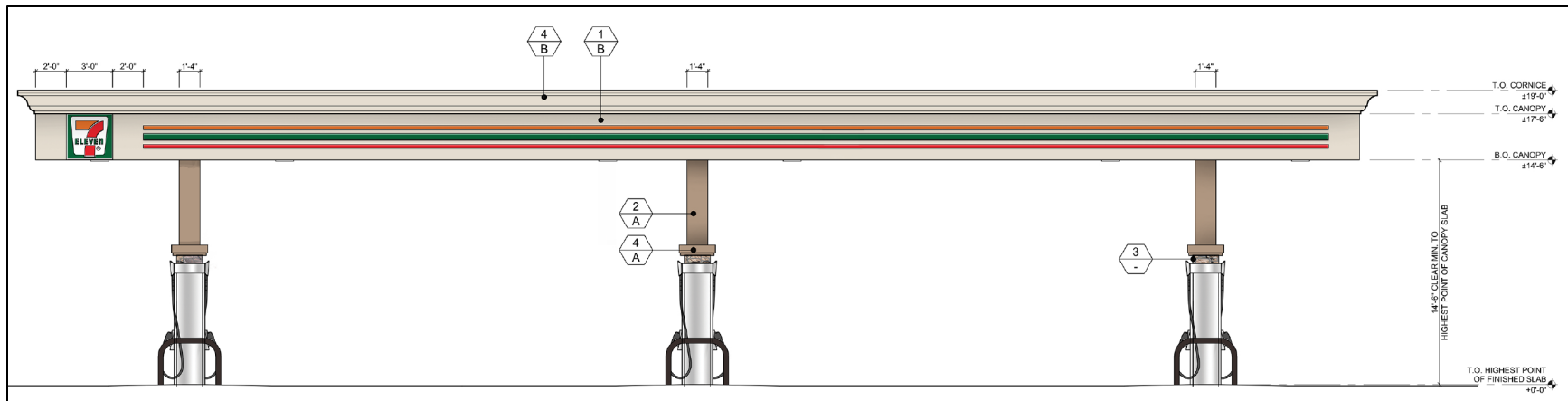


North Elevation

Exhibit C—EXTERIOR ELEVATIONS CONTINUED

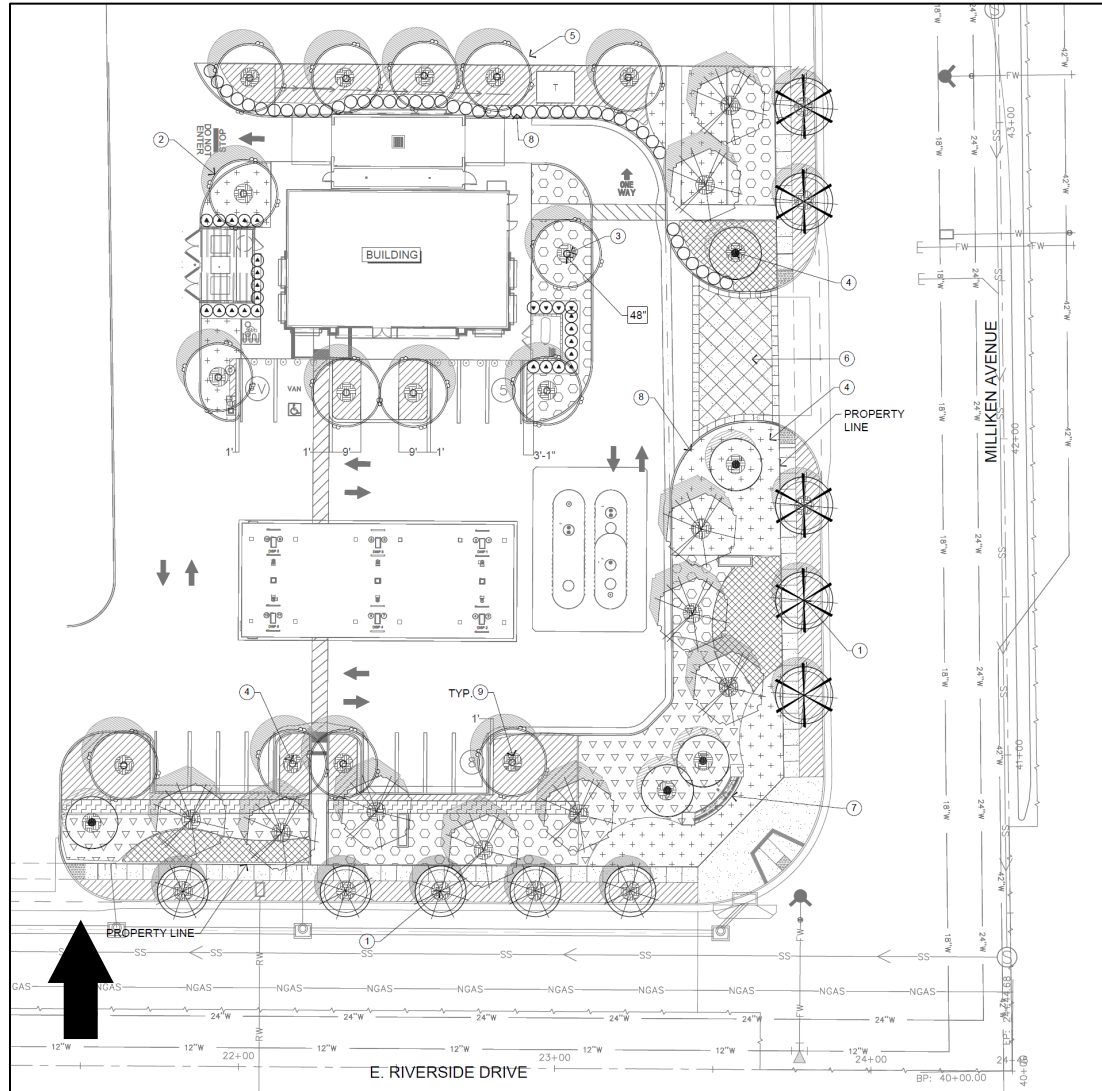


Fueling Canopy: East/West Elevations



Fueling Canopy: North/South Elevations

Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PDEV20-012

Related Files: PGPA19-007, PZC19-002, PSPA19-010, PMTT19-018, PDEV19-059, PDEV20-013 and PCUP20-009

Project Description: A Development Plan to construct a 3,062 square foot convenience store (7-Eleven), with fuel sales and an ancillary drive-thru car wash (991 SF) on 1.27 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, within the proposed CC (Community Commercial) zoning district (APN: 1083-361-01); **submitted by Toscana Square, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). A comprehensive sign program shall be submitted for all parcels associated with PMTT19-018. The final design and location of the proposed City of Ontario monument sign, located on the southeast corner of the Project site shall be included within the comprehensive sign plan.

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

2.16 Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.17 Additional Requirements.

(a) The Tentative Parcel Map shall not be final and conclusive until the General Plan Amendment (File No. PGPA19-007), the Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan and Zone Change (File No. PZC19-002) are approved by the City Council.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20177 RELATED FILE NO(S). PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20177, a Tentative Parcel Map to subdivide 20 acres of land into eight (8) lots within the Tuscana Village Specific Plan

LOCATION: Northwest corner of Milliken Avenue and Riverside Drive

APPLICANT: Orbis Real Estate Partners

REVIEWED BY:  10-9-20
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  10-9-20
Khoi Do, P.E. Date
City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:**
 - A. Riverside Dr to the ultimate half street right-of-way width of 54 feet along the project frontage from the westerly project frontage to "A" St
 - B. Riverside Dr to the ultimate half street right-of-way width of 64 feet along the project frontage from the "A" St to Milliken Ave
 - C. Developer/Applicant shall exercise reasonable effort to procure ultimate half street right-of-way of 54 feet of right-of-way on Riverside Dr along the property frontage of the existing nursery adjacent to the westerly project boundary. Right-of-way is required to construct street improvements required per COA 2.17, herein. Right-of-way shall be dedicated to the City from the property owner of the existing nursery adjacent to the westerly project boundary.
 - D. Milliken Ave to the ultimate half street right-of-way width of 71 feet along the project frontage
 - E. "A" St to the ultimate full street right-of-way width of 66 feet along the project frontage
 - F. Property line corner 'cut-back' required at all street intersections within the project boundaries. This includes, but is not limited to, the intersection of Milliken Ave and "B" St (private).

- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - A. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Riverside Dr west of "A" St.
 - B. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Milliken Ave south of "B" St (private).
 - C. 25 feet wide easement for public utility purposes along "B" St (private) from "A" St to Milliken Ave. See COA 2.29A and 2.34B.
 - D. Easement for traffic signal purposes at the intersection of Milliken Ave and "B" St (private). Location and dimensions shall be determined during the plan check process.

- 1.03 Restrict vehicular access to the site as follows:** _____

- 1.04 Vacate the following street(s) and/or easement(s):**
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.**



- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.

- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.

- 1.11 Provide a preliminary title report current to within 30 days.

- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.

- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).



- 1.14 Other conditions:**
- A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
 - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20177 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)



Other:

- **City of Eastvale – for any improvements encroaching into their right-of-way**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
- _____ feet on _____
- Property line corner 'cut-back' required at the intersection of _____
and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____
- _____
- 2.12 New Model Colony (NMC) Developments:
- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
- 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
- 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$389,850, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
- A. **Obtain a private access easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**
- B. **Obtain a temporary construction easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Riverside Drive	Milliken Avenue	"A" Street	"B" Street (private)
Curb and Gutter	<input checked="" type="checkbox"/> New; 42-52 ft. varies from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 58 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 20 ft. from C/L, east & west along project frontage <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 27-37 additional feet varies along frontage, including pavm't transitions (B, C)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 37 additional feet along frontage, including pavm't transitions (D)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New (E) <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (F) <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input checked="" type="checkbox"/> New (F) <input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> New (G) <input checked="" type="checkbox"/> Trees (G) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (G)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. 42 ft. from C/L (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 52 ft. from C/L (limits are from "A" St to Milliken Ave)**
- B. 27 ft. additional widening (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 37 ft. additional widening (limits are from "A" St to Milliken Ave)**



- C. A raised landscape median is required on the south side. Please note, if the existing Riverside Dr pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- D. A raised landscape median is required on the east side (City of Eastvale may require additional improvements). Please note, if the existing Milliken Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- E. Required at the following proposed signalized intersections:
 - i. Milliken Ave and Riverside Dr
 - ii. Milliken Ave and "B" St (private)
- F. Limits are approximately 275 feet west of the westerly project frontage to Milliken Ave
- G. These improvements are partially in the City of Ontario and City of Eastvale.
- H. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 275 feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - A. Sewer Sub-Area Master Plans (SSAMP): The Conceptual Sewer Study dated 4/30/2020 is currently under review and has not been approved. Revise the Conceptual Sewer Study to include all public sewer infrastructure that will be designed by the project and convert it to a Final SSAMP pursuant to Section 4-8 of the Sewer Master Plan (SMP). The revised study shall demonstrate that the sewer criteria of the SMP (Sections 4-2 to 4-5) has been met and shall be submitted to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.
 - B. Install 8-inch sewer main (or approved size per Final SSAMP) in Riverside Dr, with a point of connection to the existing 10-inch sewer main on Riverside Dr west of the project boundary and extending north to Milliken Ave, then north on Milliken Avenue to the sewer service connection for Parcel 7.
 - C. Install 8-inch sewer main (or approved size per Final SSAMP) in "A" St, connecting to the new sewer main at the intersection of "A" St and Riverside Dr and extending north to the northerly project limits. See Conceptual Utility Systems Map, dated 09/17/2020 for



reference.

- D. All parcels shall have a separate sewer service connected to a public sewer main.
- E. Install sewer monitoring manhole for each proposed building per city standard 2203 at the immediate back of the property line, on private property and maintain a 10' pre and post straight pipe run. The pre and post pipe is to have the range slope from 0.4% to maximum 2.0%.

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Riverside Dr and an 18-inch water main is available for connection by this project in Milliken Ave. (Ref: Water plan bar code: W12297, W12299)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - A. Install a 12-inch water main in "A" St, with a point of connection to the existing 12-inch 1010PZ potable water main at the intersection of Riverside Dr and "A" St, and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to a point of connection to the existing 18-inch 1010PZ potable water main in Milliken Ave. See Conceptual Utility Systems Map, dated 09/17/2020 for reference.
 - B. Install a meter and backflow device for domestic water service. Install a double check detector assembly (DCDA) for the proposed fire service.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions:
 - A. Install 8-inch 1050 PZ recycled water main in Riverside Dr with a point of connection to the existing 8-inch recycled water main in Riverside Dr, west of the project boundary, and extending to the intersection of Milliken Ave and Riverside Dr.
 - B. Install 8-inch recycled water in "A" St connecting to the new recycled water main at the intersection of "A" St and Riverside Dr and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to the service connection for Parcel 7. See Conceptual Utility Systems Map, dated 09/17/2020.
 - C. Install any additional public recycled water mains on Riverside Dr or Milliken Ave needed to provide recycled water service for Parcels 5 and 6 at the time of development of those parcels.



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
- A. It is to be noted that the Riverside Dr street section from the "A" St to Milliken Ave requires additional right-of-way to accommodate the additional turn lanes based on The Ontario Plan enhanced intersection requirements for Riverside Dr and Milliken Ave.
 - B. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that the striping and median alignment is consistent along Milliken Ave through the intersection of Riverside Dr.
 - C. The proposed intersection of "B" St (private) shall be aligned with the drive approach on the east side of Milliken Ave.
 - D. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that "A" St along Riverside Drive is correctly aligned with the development on the south side.
 - E. Design and construct a new traffic signal system at "B" St and Milliken Ave to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - F. Design and construct a new traffic signal system at "A" St and Riverside Dr to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - G. Design and construct modifications to the existing traffic signal on Milliken Ave and Riverside Dr. The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 - H. Design and construct a raised median on Riverside Dr and Milliken Ave along the project frontage.
 - I. All project driveways, with exception of "A" St and "B" St (private), shall be limited to right-in/right-out access only. Design and construct signing and striping improvements to render said restriction enforceable.
 - J. Design and construct a bus turnout on Riverside Dr west of "A" St, in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - K. Design and construct a bus turnout on Milliken Ave south of "B" St (private), in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - L. Modify signing and striping on Riverside Drive and Milliken Ave beyond project limits to accommodate frontage widening improvements
 - M. Riverside Dr shall be signed "No Parking Anytime". Milliken Ave shall be signed "No Stopping Anytime". "A" St shall be signed "No Stopping Anytime" along the property frontage. "B" St (private) shall be signed "No Stopping Anytime" along the property frontage.
 - N. Design and construct in-fill public street lights along project frontages of Riverside Dr, Milliken Ave, and "A" St in accordance with City of Ontario Standards and the Traffic and Transportation Design Guidelines, Section 1.4.
 - O. Engineer-of-record shall meet with City Engineering staff prior to starting



signing/stripping, street lighting, and signal design.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____, (Ref: Storm Drain plan bar code: _____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.**
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**
 - A. **Design and construct a 42" storm drain line on Riverside Dr from Milliken Ave to the westerly project limits connecting to existing 48" storm drain line.**
 - B. **Design and construct a 42" storm drain line on "A" St from the northerly project limits to Riverside Dr.**
 - C. **The existing 48" storm drain in Riverside Dr is currently not connected to the County Line Channel. The ultimate system in Mill Creek Avenue is not constructed at this time. In the interim, the Developer/Applicant shall design and construct a temporary storm drain system for storm water detention on-site, to the satisfaction of the City Engineer (See COA 2.40, above).**
 - D. **The temporary storm water detention system shall be a private system. The Developer/Applicant shall be responsible for maintaining the temporary system. A surety bond shall be provided to secure construction of the temporary system and a 10 year operations and maintenance period, or until the ultimate storm drain and connection to the County Line Channel is complete and the ultimate storm drain system becomes available.**

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.



- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Riverside Dr, Milliken Ave, and "A" St.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 **Other conditions:**
 - A. **Integrated Waste and Organics Recycling: This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341 and the Integrated Waste Department.**
 - i. **Organics Separation and Collection: Organic waste shall be diverted and collected separately from recycling and other refuse wastes.**
 - ii. **Install a three (3) Bin Trash Enclosure (a separate 4CY bin for refuse, recycling, and organic waste) for each proposed building, at a minimum. Submit volumetric calculations with the SWHP for each proposed site in order to determine the actual numbers of bins and trash enclosures.**
 - B. **Final Solid Waste Handling Plan (SWHP): Prior to issuance of any permits, submit a Final Solid Waste Handling Plan as part of the Precise Grading Plan submittal that meets all of the City's SWHP requirements for OMUC review and approval. The Final SWHP shall reflect any site design changes needed to comply the final conditions of**



- approval.
- C. **Final Integrated Waste Management Report (IWMR):** Prior to issuance of any permits, submit a Final IWMR with the Precise Grading Plan that meets all of the City's IWMR requirements for OMUC review and approval.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013, and/or Parcel Map No. 20177

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: May 7, 2020

SUBJECT: PDEV20-012 – A Development Plan to construct a 3,062 square foot convenience store, a 991 square foot drive-thru car wash and a fuel station with sixteen (16) pumps on 1.4 acres of land located at the northwest corner of Milliken Avenue and Riverside Drive, within the Commercial Land Use District of the Tuscana Village Specific Plan (APN(s): 1083-361-01). Related File(s): PCUP20-009.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 3,062 Sq. Ft.
- D. Number of Stories: 1 with Car Wash
- E. Total Square Footage: 3,062 Sq. Ft. plus 991 Sq. Ft. for Car Wash
- F. 2016 CBC Occupancy Classification(s): M

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: May 7, 2020

SUBJECT: PDEV20-012- A development plan to construct a 3,062 square foot convenience store, a 991 square foot drive-thru car wash and a fuel station with sixteen (16) pumps located at the northwest corner of Milliken Avenue and Riverside Drive.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Minimum 0.5 foot-candle of light shall be maintained in all common areas including walkways, driveways, drive aisles and any areas used by the public. All parking lots shall be provided with minimum one foot-candle of light, measured on the parking surface. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

In addition, the Ontario Police Department places the following conditions on the project:

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, and all cash registers. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.

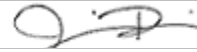
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off



09/21/20

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

Jamie Richardson, Sr. Landscape Planner

Phone:

(909) 395-2615

D.A.B. File No.:

PDEV20-012

Case Planner:

Lorena Mejia

Project Name and Location:

Gas Station and car wash
 NWC of Milliken Ave. and Riverside Dr.

Applicant/Representative:

Toscana Square, LLC c/o Orbis Real Estate Partners – Grant Ross gross@orbisrep.com
 280 Newport Center Drive, Suite 240
 Newport Beach, CA 92660



A Preliminary Landscape Plan (dated 09/08/20) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.



A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
2. Eliminate parking spaces at entry; omit the diamond planters. Provide an entry walkway with 2 - 5' wide planter parking spaces for accent shrubs and groundcover and a 4' entry walkway in between. Increase the width of end island planters. (Plant Quercus ilex or virginiana).
3. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
4. Show backflow devices set back 4' from paving all sides. Locate on level grade
5. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
6. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept.
7. Provide calculations for landscape percentage; site plan to show (15% select one) of the site with landscaping not including right of way or paving.
8. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
9. Dimension all planters to have a minimum 5' wide inside dimension.
10. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before

fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

11. Show backflow devices with 36” high strappy leaf shrub screening and trash enclosures and transformers, a 4’-5’ high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
12. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
13. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
14. Show corner ramp and sidewalk per city standard drawing 1213.
15. Show all easements and identify.
16. Provide calculations; site plan to show 15% of the site with landscaping not including right of way or paving areas.
17. Show parkway landscape max 18” high: such as Baccharis, Lonicera, Kurapia etc. and street trees spaced 30’ apart.
18. Street trees for this project are: Pinus canariensis (Milliken) per the Master Street Tree Plan. Use deciduous background trees and triangularly space between them.
19. Locate trees for shade on buildings, parking lots, seating areas and paving, screen blank walls and adjacent properties where missing, accent trees to entries and driveways, provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
20. Show parking lot island planters adjacent to trash enclosures for screening.
21. Show ADA access route from the public sidewalk, ADA path to adjacent industrial buildings within the same development.
22. Show parking lot island tree planters 1 each row end.
23. Replace invasive, high water using, short lived, high maintenance or poor performing plants. *Mulhenbergia rigens* (becomes wild and rangy, poor winter appearance when planted in mass, use as accent only), *Lantana* (dies out with frost; consider Yarrow), *Dodonaea* (do not use as a hedge row in front of parking spaces; use as a large screen.
24. Show groundcover in front of parking spaces and hedge row at least 2’ behind spaces.
25. Show 6’ diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
26. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48” box, 10% 36 box, 30% 24” box, 55% 15 gallon.
27. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
28. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
29. Provide phasing map for multi-phase projects. r a project’s entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$2,791.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$600.00</u>
Total.....	\$3,391.00

Landscape construction plans with building permit number for plan check may be emailed to:

landscapeplancheck@ontarioca.gov

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: April 28, 2020
SUBJECT: PDEV20-012

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. The Address for the Project is 4291 E Riverside Dr.
2. Standard Conditions of Approval apply.

KS:lr

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PGPA19-07,ZC19-02,PSPA19-10,PMTT19-18,PDEV19,059,20-12, 13&PCUP20-9
 Address: NWC of Riverside Drive and Milliken Avenue
 APN: 1083-361-01, 1083-361-04 & 1083-361-07
 Existing Land Use: Vacant/Agriculture/Winery and restaurant
 Proposed Land Use: GPA (ZC) from Mixed Use (SP, LDR-5 & CC) to GC (CC) & Ind (IL); SPA to rescind an SP; TPM sub. 20 acres into 7 parcels; PDEV for 3 Ind. & 2 Comm Bldgs
 Site Acreage: 41.35 acres Proposed Structure Height: 45 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 4/6/16
 CD No.: 2020-014
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft plus</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____



Development Advisory Board Decision

October 19, 2020

DECISION NO.: [insert #]

FILE NO.: PDEV20-013

DESCRIPTION: A Development Plan to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land, located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial zoning district. (APN: 1083-361-01); **submitted by Toscana Square, LLC. Planning Commission Action is required.**

Part I—BACKGROUND & ANALYSIS

TOSCANA SQUARE, LLC., (herein after referred to as “Applicant”) has filed an application requesting Development Plan approval, File No. PDEV20-013, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

(1) **Project Setting:** The Project site is comprised of approximately 1.18 acres of land located at the northwest corner of Riverside Drive and Milliken Avenue, and is depicted in Exhibit A—Project Location Map, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the Project site are as follows:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site:</i>	Vacant	Mixed Use	SP (Specific Plan)	Residential & Commercial (Tuscana Village Specific Plan)
<i>North:</i>	Vacant/Vineyard/ Winery	Mixed Use	LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac) & CC (Community Commercial)	
<i>South:</i>	Vacant	General Commercial	SP (Specific Plan)	Community Commercial (Edenglen Specific Plan)
<i>East:</i>	City of Eastvale Business Park	Business Park	IL (Industrial Park)	
<i>West:</i>	Nursery/SCE Easement	OS-NR (Open Space / Non-Recreation)	UC (Utilities Corridor)	

(2) **Project Description:**

(a) Background — The Tuscana Village Specific Plan (File No. PSP09-001) and related Mitigated Negative Declaration (“MND”) were approved by the City Council on June 5, 2012. The Tuscana Village Specific Plan established the land use designations, development standards, and design guidelines for the 20-acre Project site. The specific plan allowed for the potential development of 200 residential dwelling units and approximately 871,000 square feet of commercial development. The applicant has requested that the City rescind the Tuscana Village Specific Plan, eliminate the existing residential land use designation, reduce the amount of commercial designated property, and incorporate an industrial land use designation to facilitate the construction of the proposed industrial and commercial development, described below.

On October 9, 2019, the applicant submitted six applications to facilitate the development of the proposed industrial and commercial development, which include:

- A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use, to 7.6 acres of General Commercial and 33.75 acres of Industrial designated properties.
- A Specific Plan Amendment (File No. PSPA19-010) to rescind of the Tuscana Village Specific Plan.
- A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of (Community Commercial) designated properties.
- A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels within the proposed CC (Community Commercial) and IL (Light Industrial) zoning districts.
- A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on approximately 13 acres of land within the proposed IL (Light Industrial) zoning district.

On April 24, 2020, the applicant submitted a Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and an ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license) on 1.27 acres of land located within the proposed CC (Community Commercial) zoning district.

On June 3, 2020, the applicant submitted a Development Plan (File No. PDEV20-013) to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land located within the proposed CC (Community Commercial) zoning district.

(b) Site Design/Building Layout — Proposed, is the construction of a 2,490 square commercial building for a fast-food restaurant (Starbucks) with a drive-thru facility, located

at the northwest corner of Riverside Drive and Milliken Avenue. The Project occupies Parcel 7 of the proposed Tentative Parcel Map (File No. PMTT19-018/TPM 20177) being processed concurrently with this Development Plan. The fast-food restaurant building is centered along the northern portion of the property, oriented in an east-west configuration, with the front entrance facing south, toward the parking lot.

The building is setback approximately 130 feet from the south property line, approximately 66 feet from the east (Milliken Avenue) property line, approximately 47 feet from the west property line, and approximately 75 feet from the north property line. Parking for employees and customers has been provided immediately to the south of the building.

The entrance to the drive-thru is located at the southeast corner of the Project site and will circulate from south to north, turning toward an east/west direction and terminating along the western building elevation. The Project provides drive-thru lane stacking for 13 vehicles (see Exhibit B—Site Plan, attached).

(c) Site Access/Circulation — The proposed Tentative Parcel Map (File No. PMTT19-018) will facilitate the construction of internal public/private streets (“A” Street and “B” Street) and common drive aisles that will serve the commercial and industrial land uses of the overall Project site. Proposed, is a 40-foot wide public street (“A” Street - 66-foot right-of-way) that runs north-south through the Project site and is accessed from Riverside Drive, approximately 600 feet west of Milliken Avenue. The public street is proposed to extend north, beyond the Project site and terminate at a cul-de-sac to be constructed with future development, as shown on Exhibit C—Conceptual Site Plan. A private street (“B” Street) is proposed along the northern property line which runs east-west, with access from Milliken Avenue located approximately 800 feet north of Riverside Drive. “B” Street intersects with “A” Street and transitions into a drive-aisle, west of “A” Street.

The commercial portion of the Project site will have one access point from Riverside Drive, via a 40-foot wide driveway located at the southeast corner of Parcel 1, approximately 250 feet west of Milliken Avenue. Two points of access will also be provided from Milliken Avenue, including “B” Street and via 40-foot wide driveway located approximately 150 feet north of Riverside Drive. A fourth point of vehicular access will be provided by a 26-foot wide common drive-aisle that runs north-south between the commercial and industrial land uses, which will serve as the primary access for Starbucks.

(d) Parking — As shown in the Parking Summary Table, below, the project is required to provide a minimum of 20 off-street parking spaces pursuant to the off-street parking standards specified in the City’s Development Code. The project proposes to provide a total of 32 off-street parking spaces, exceeding the minimum off-street parking requirements, as shown in the table below.

Parking Table Summary				
<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Fast Food Restaurants</i>	2,490 SF 312 LF of drive-thru lane	13.3 spaces per 1,000 SF of GFA. Restaurants with drive-thru may be credited one space for each 24 lineal feet	20	32

Parking Table Summary				
<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
		of drive-thru lane behind the pickup window (13 drive-thru spaces credit)		
TOTAL			20	32

(e) Architecture — The architectural style of the proposed Starbucks consists of a Tuscan design, with a combination of gable tower elements, the use of a stone and brick veneer to treat tower elements and columns, flat roofs with parapet detailing, and color blocking. The mixture of building materials proposed includes smooth stucco finishes with a white and tan color palette, metal canopies with an aged bronze finish, light blue tinted glazing for windows and storefronts, distressed reclaimed wood planks, and metal trellises with vine pockets to provide additional landscaping to soften the building (see Exhibits C—Elevations, attached). The drive-thru canopy, located along the west elevation, has been designed to complement the architectural style of the building and includes columns with a brick veneer and an overhead wood trellis with a teak finish.

The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building’s architecture. Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building’s entries and breaks up large expanses of building wall;
- A mix of exterior materials, finishes and fixtures; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas. Additionally, the building has been designed to ensure that it’s massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

(f) Landscaping — The Development Code requires a minimum 13 percent landscape coverage and 23.5 percent landscape coverage has been provided for the Project (see Exhibit D—Conceptual Landscape Plan, attached). The Project includes right-of-way improvements (street widening, curb, gutter, sidewalk, and parkway) along Milliken Avenue. A combination of 48-inch, 36-inch, 24-inch box, and 15-gallon accent and shade trees will be provided on the Project site. The landscape plan also includes a variety of shrubs, grasses, and groundcovers that are low water usage and drought tolerant, to be planted throughout the Project site. Moreover, the proposed on-site and off-site landscape improvements will assist towards creating a walkable safe area for pedestrians to access the Project site.

(g) Signage — The project is required to submit a Sign Program application prior to the installation of signage at the site. The conceptual sign locations and design have been incorporated into the site plan and proposed building elevations for reference.

(h) Community Meetings — The Planning Department conducted a virtual community meeting via Zoom, to discuss the proposed subject applications. Eleven members of community logged into the Zoom meeting and 6 residents provided comments/questions during the meeting. Additionally, the Planning Department received two emails in opposition to the proposed Project. Below is a list of concerns raised by the community.

(i) The lack of viable/substantial commercial shopping centers (grocery stores and full-service restaurants) in the immediate area. In addition, the reduction of commercial land areas will result in substandard commercial uses, such as gas stations, convenience stores and fast-food restaurants. Residents commented that the retail viability studies focus on short term conditions instead of long-term neighborhood serving commercial.

The applicant provided a retail market study prepared by The Concord Group (Dated: December 19, 2019). The Market Study focused on achievable rental rates based on current and historical retail trends. The study looked at land uses, number of households, traffic within a 1, 3, and 5-mile radius from the Project site, which concluded that retail demand was insufficient and could not be supported at the Project site, due to lack of demand and an oversupply of retail space. Supported uses included a gas station and fast-food restaurants, due to traffic counts associated with the 60 freeway on/off ramps located north of the Project site.

(ii) Opposition to the GPA and SPA that would allow the construction of large industrial buildings adjacent to the Creekside community. Residents want to preserve the existing General Plan land use designation of Mixed-use and the Tuscana Village Specific Plan to remain in place.

In response to community comments, the buildings have been designed to have an office-like appearance and the western building elevation has been enhanced to provide an attractive view from the adjacent residential development. Large plant/trees will be used along the western property line to create a more visually appealing view from the residential community. The landscape planter along the western property line is approximately 7 feet wide. Additional landscape planters are provided directly adjacent to Building 3, approximately 6 to 12 feet wide.

(iii) With the recent Planning Commission approval of the Crowe industrial project to the south, concerns were raised about the potential concentration of industrial uses adjacent to both the Edenglen and Creekside communities.

(iv) Opposition to the proposed 7-Eleven, gas station, and the proposed CUP for off-sale beer and wine within proximity to Colony High School and residential land uses.

The service of alcoholic beverage sales is intended for customers 21 years of age and over only. The Applicant has been given Police Department Conditions of Approval and ABC regulations, including but not limited to the following: hours of operation; alcoholic beverage sales designated area; age restrictions; and training class or a certified responsible beverage service class within six months for all employees.

(v) Overall issues related to noise, air quality, and truck traffic near existing residential neighborhoods and schools.

In response to community comments/concerns, the related Development Plan (File No, PDEV19-059) has been designed to minimize noise impacts to the residents. The truck yard for Building 3 has been oriented away from the western property line and faces east. This design feature, in conjunction with the 270-foot SCE utility corridor that separates the proposed Project from residential properties to the west, will substantially diminish any noise impacts to the adjacent residential community.

A noise study was completed by Urban Crossroads (October 2020) that analyzed operational noise impact increases along the eastern property line of the Creekside residential community. Urban Crossroads measured existing noise levels on October 10, 2019 and modeled the increased noise that will be generated by the proposed operations at the property. The study concluded that the operation of a typical warehouse distribution center would be up to 39 dBA less than the City Standards (65 dBA daytime and 45 dBA nighttime). Furthermore, the placement of the buildings will assist in the reduction of traffic noise that currently exist from Milliken Avenue and help reduce wind and dust impacts on the existing residential community, from seasonal Santa Ana winds.

(vi) Inquiries were expressed regarding the proposed infrastructure, street improvements, bike lanes, and any proposed pedestrian connections to the San Antonio Winery and Juanchos restaurant.

The street frontages along Riverside Drive and Milliken Avenue will be improved (curb, gutter, and sidewalk). The Project will also provide new public and private streets that with full right-of-way street improvements, including sidewalk/pedestrian paths, to the nearby San Antonio Winery and Juanchos restaurant.

(vii) Comments were expressed about vagrancy and illegal dumping in the immediate area, as well as existing truck traffic on Riverside Drive and overnight truck parking on Mill Creek Avenue.

The street frontages along Riverside Drive and Milliken Avenue will be improved (curb, gutter, and sidewalk) and no parking will be allowed. The development of the Project site will create more eyes on the street and discourage illegal uses. Also, on-site security patrol will be provided for the property and assist in preventing any undesirable use of the property at night or weekends, alerting law enforcement of any illegal activity occurring off-site and within the immediate area.

(i) Health Risk Assessment — The Applicant was required to prepare a Health Risk Assessment (“HRA”) to determine whether the proposed Project would pose a health risk to the existing residential land uses. The HRA prepared by Urban Crossroads (Dated: October 5, 2020) analyzed the cancer burden estimates as well as the Project operational Toxic Air Contaminants (“TACs”) impact from Diesel Particulate Matter (“DPM”) emissions. Both analyses concluded that these factors would be less than significant; therefore, no mitigation is required for the Project beyond that which was previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), as certified by the Ontario City Council on January 27, 2010. Furthermore, the Project was designed to minimize any potential impacts to existing residential development. Additionally, the Project has been conditioned to have trucks travel east, towards Hamner/Milliken Avenue, when exiting the site. Trucks shall not be allowed to utilize Riverside Drive west of the Project site, to access or exit the Project site.

(j) Utilities (drainage, sewer) — To serve the proposed industrial development, the Project will be required to construct infrastructure improvements. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (“PWQMP”), which establishes both Projects’ compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (“LID”) best management practices (“BMPs”), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of underground stormwater infiltration system within the tractor-trailer courtyard areas of each building and parking lots. Any overflow drainage will be conveyed to a storm drain connection located at the south end of the Project site.

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, as the first action on the Project, on October 19, 2020, the DAB issued a Decision recommending the Planning Commission recommend approval to the City Council on the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, the subject Development Plan (File No. PDEV20-013) Application was filed in conjunction with: [1] A General Plan Amendment (File No. PGPA19-007) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 41.35 acres of land from Mixed Use (Hamner/SR-60 Area 12) to 7.6 acres of General Commercial and 33.75 acres of Industrial, and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation changes; [2] A Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan; [3] A Zone Change (File No. PZC19-002) on 41.35 acres of land from LDR-5 (Low Density Residential – 2.1 to 5.0 du/ac), CC (Community Commercial), and SP (Specific Plan), to 33.75 acres of IL (Light Industrial) and 7.6 acres of CC (Community Commercial); [4] A Tentative Parcel Map (File No. PMTT19-018/TPM 20177) to subdivide approximately 20 acres of land into 7 parcels; [5] A Development Plan (File No. PDEV19-059) to construct 3 industrial buildings totaling 295,991 square feet on 13.19 acres of land; and [6] A Development Plan (File No. PDEV20-012) to construct a 3,062 square foot convenience store (7-Eleven) with fuel sales and ancillary drive-thru car wash, in conjunction with a Conditional Use Permit (File No. PCUP20-009) to establish alcoholic beverage sales for off-premises consumption, limited to beer and wine (Type 20 ABC license), on 1.27 acres of land; and

WHEREAS, approval of this Project is contingent upon the City Council approving a General Plan Amendment (File No. PGPA19-00), rescinding the Tuscana Village Specific Plan (File No. PSPA19-010), a Zone Change (File No. PZC19-002) and an EIR Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. SCH# 2008101140), which was certified on January 27, 2010; and

WHEREAS, on October 19, 2020, the DAB of the City of Ontario conducted a hearing on the Application and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Decision have occurred.

Part III—THE DECISION

NOW, THEREFORE, IT IS HEREBY FOUND AND DETERMINED by the Development Advisory Board of the City of Ontario, as follows:

SECTION 1: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 2: *ALUCP Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the DAB has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the DAB, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the DAB during the above-referenced hearing and upon the facts and information set forth in Parts I (Background and Analysis) and II (Recitals), above, and the determinations set forth in Sections 1 and 2, above, the DAB hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the proposed General Commercial land use district of the Policy Plan Land Use Map, and the proposed Community Commercial zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is***

located. The Project has been designed consistent with the requirements of the City of Ontario Development Code and the proposed Community Commercial zoning district, including standards relative to the particular land use proposed (fast-food restaurant), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (c fast-food restaurant). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 4: City Council Required Actions. Approval of this Project is contingent upon City Council approving a General Plan Amendment (File No. PGPA19-007), Zone Change (File No. PZC19-002), Specific Plan Amendment (File No. PSPA19-010), and an EIR Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) that was certified on January 27, 2010.

SECTION 5: Development Advisory Board Action. Based on the findings and conclusions set forth in Sections 1 through 4, above, the DAB hereby recommends the Planning Commission APPROVES the Application subject to each and every condition set forth in the Department reports included as Attachment A of this Decision, and incorporated herein by this reference.

SECTION 6: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario

City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario. The records are available for inspection by any interested person, upon request.

APPROVED AND ADOPTED this this 19th day of October 2020.

Development Advisory Board Chairman

Exhibit A—PROJECT LOCATION MAP

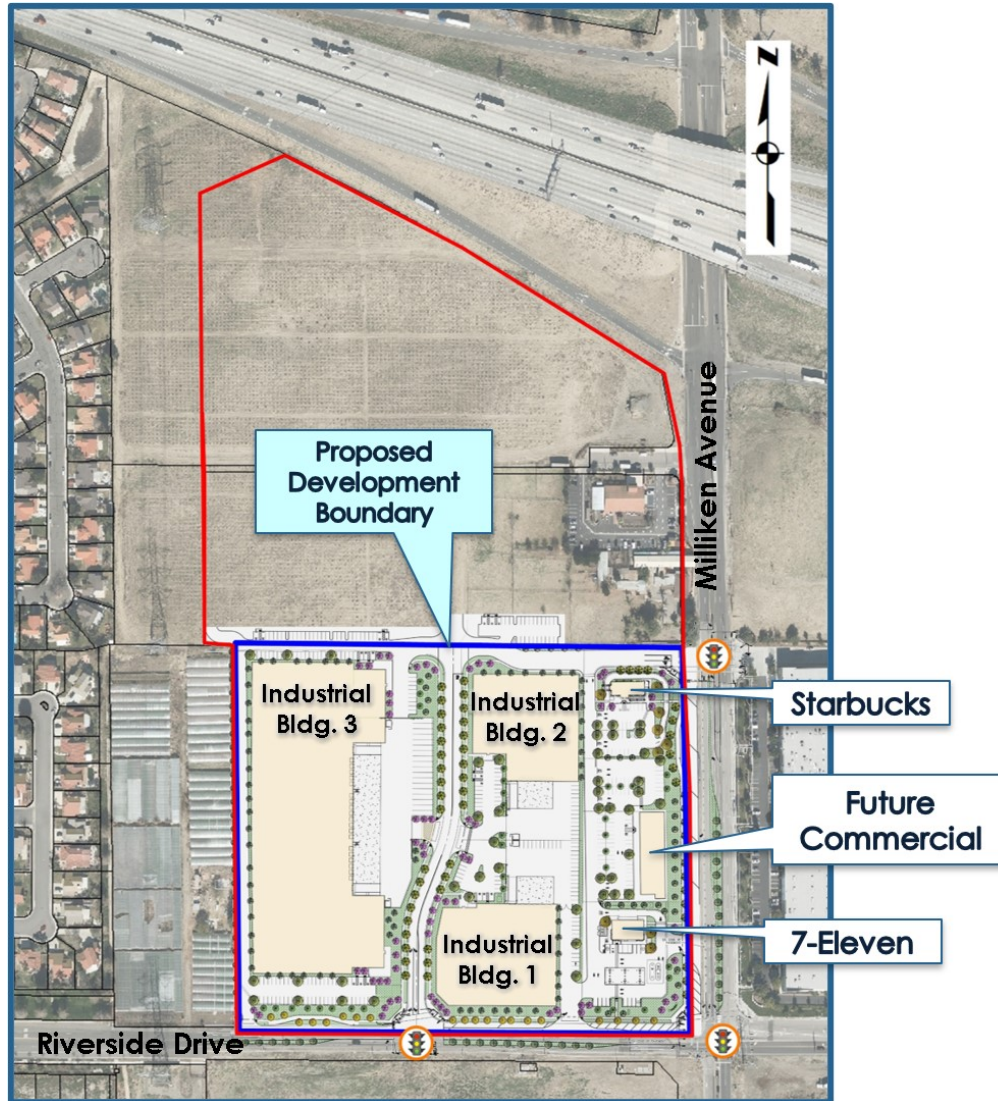


Exhibit B—SITE PLAN

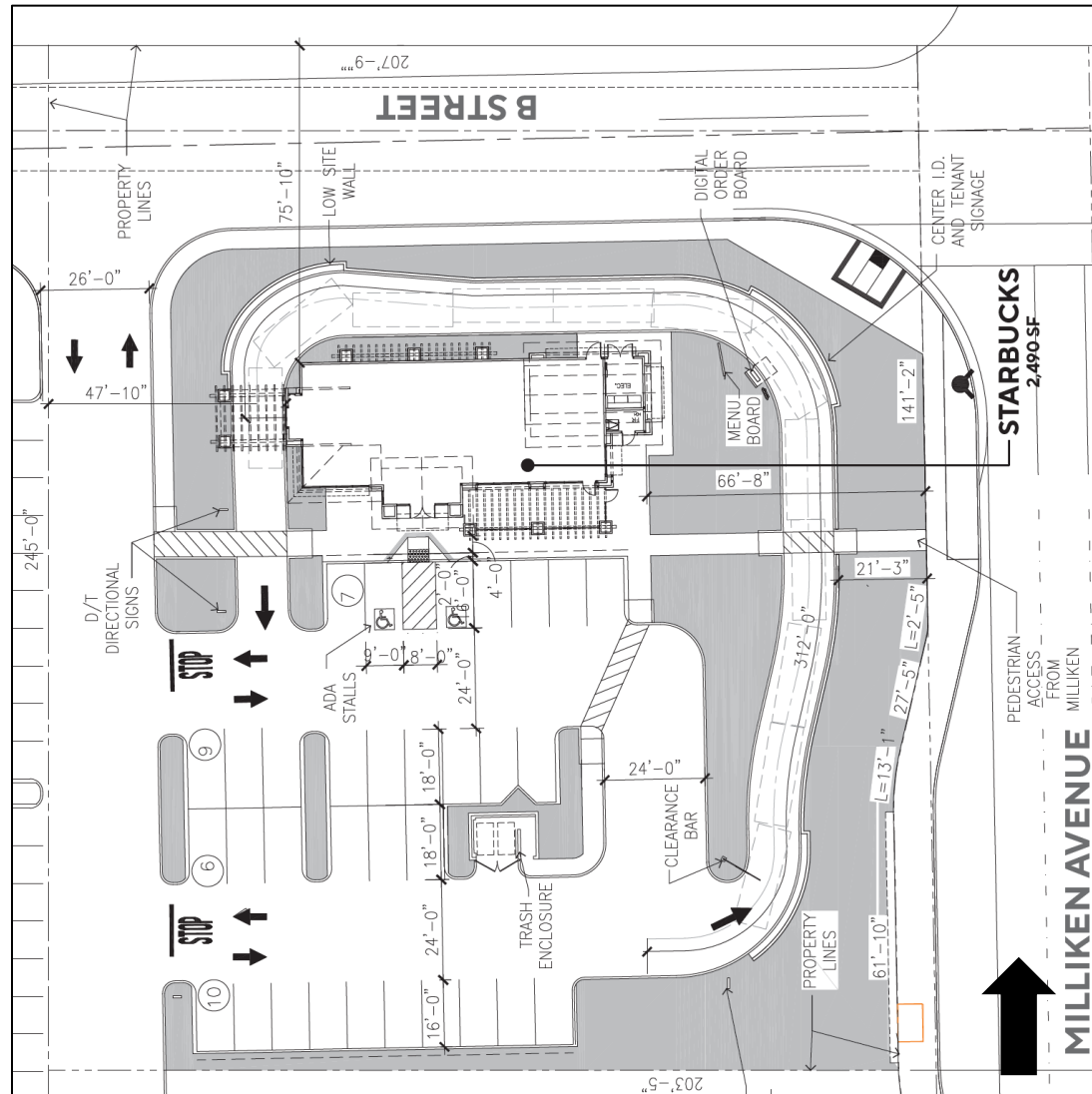


Exhibit C—EXTERIOR ELEVATIONS



Exhibit C—EXTERIOR ELEVATIONS



Exhibit D—LANDSCAPE PLAN



Attachment A—Departmental Conditions of Approval

(Departmental conditions of approval follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 19, 2020

File No: PDEV20-013

Related Files: PGPA19-007, PZC19-002, PSPA19-010, PMTT19-018, PDEV19-059, PDEV20-012 and PCUP20-009

Project Description: A Development Plan to construct a 2,490 square foot commercial building for a fast food restaurant (Starbucks) with a drive-thru facility on 1.18 acres of land, located on the northwest corner of Riverside Drive and Milliken Avenue within the proposed Community Commercial zoning district. (APN: 1083-361-01); **submitted by Toscana Square, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(f) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

2.7 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.8 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.9 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.10 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). A comprehensive sign program shall be submitted for all parcels associated with PMTT19-018.

2.11 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.12 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is

determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Tribal Consultation Conditions.

(a) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to conduct a Native American Indian Sensitivity Training for construction personnel prior to commencement of any excavation activities. The training session shall include a handout and focus on how to identify Native American resources encountered during earthmoving activities and the procedures followed if resources are discovered, the duties of the Native American Monitor of Gabrieleño Ancestry and the general steps the Monitor would follow in conducting a salvage investigation.

(b) The project developer shall retain a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) to be on-site during all project-related, ground-disturbing construction activities (e.g., pavement removal, auguring, boring, grading, excavation, potholing, trenching, and grubbing) of previously undisturbed native soils to a maximum depth of 30 feet below ground surface. A copy of the executed contract shall be submitted to the City of Ontario Planning Department prior to the issuance of any grading permit (any ground-disturbing activity). At their discretion, a Native American Monitor of Gabrieleño Ancestry can be present during the removal of dairy manure to native soil, but not at the developers' expense.

(c) A qualified archaeologist and a Native American Monitor of Gabrieleño Ancestry (the "Tribe" or the "Consulting Tribe" that was consulted on this project pursuant to Assembly Bill A52 - SB18) shall evaluate all archaeological resources unearthed by project construction activities. If the resources are Native American in origin, the Tribe shall coordinate with the developer regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. If archeological features are discovered, the archeologist shall report such findings to the Ontario Planning Director. If the archeological resources are found to be significant, the archeologist shall determine the appropriate actions, in cooperation with the City that shall be taken for exploration and/or salvage in compliance with CEQA Guidelines Section 15064.5(f).

(d) Prior to the start of ground disturbing activities, the developer shall arrange a designated site location within the footprint of the project for the respectful reburial of Tribal human remains and/or ceremonial objects. All human skeletal material discoveries shall be reported immediately to the County Coroner. The Native American Monitor shall immediately divert work a minimum of 50 feet from the discovery site and place an exclusion zone around the burial. The Native American Monitor shall notify the construction manager who shall contact the San Bernardino County Coroner. All construction activity shall be diverted while the San Bernardino County Coroner determines if the remains are Native American. The discovery shall be confidential and secure to prevent further disturbance. If Native American, the San Bernardino County Coroner shall notify the Native American Heritage Commission (NAHC) as mandated by state law who will then appoint a Most Likely Descendent. In the case where discovered human remains cannot be documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside working hours. The Tribe shall make every effort to recommend diverting the project and keep the remains in situ and

protected. If the project cannot be diverted, it may be determined that burials will be removed. If data recovery is approved by the Tribe, documentation shall be taken, which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or means necessary to ensure complete recovery of all material. If the discovery of human remains includes four (4) or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The project developer shall consult with the Tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC.

(e) There shall be no Scientific study or the utilization of any invasive diagnostics on any Native American human remains.

(f) If the San Bernardino County Coroner determines the remains represent a historic non-Native American burial, the burial shall be treated in the same manner of respect with agreement of the San Bernardino County Coroner. Reburial will be in an appropriate setting. If the San Bernardino County Coroner determines the remains to be modern, the San Bernardino County Coroner shall take custody of the remains.

Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on site if possible. These items shall be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site, but at a location agreed upon between the Tribe and the developer and protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.16 Additional Requirements.

(a) The Tentative Parcel Map shall not be final and conclusive until the General Plan Amendment (File No. PGPA19-007), the Specific Plan Amendment (File No. PSPA19-010) rescinding the Tuscana Village Specific Plan and Zone Change (File No. PZC19-002) are approved by the City Council.

(b) Development Code Section 5.03.150: Drive-Thru Facilities, requires businesses incorporating a drive-thru facility to be a minimum of 3,000 square feet in size. Development Code Amendment, File No. PDCA18-003 reduces the minimum floor area from 3,000 square feet to 2,000 square feet. The Development Code Amendment will facilitate PDEV20-013 for the construction a 2,490 square foot commercial building with a drive-thru facility. A Building Permit shall not be issued for the Project until the Ordinance for the Development Code Amendment, File No. PDCA18-003 is adopted by the City Council and becomes effective 30 days following its adoption.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-20177 RELATED FILE NO(S). PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Michael Bhatanawin, P.E. (909) 395-2130

CITY PROJECT PLANNER & PHONE NO: Lorena Mejia (909) 395-2276

DAB MEETING DATE: October 19, 2020

PROJECT NAME / DESCRIPTION: PM-20177, a Tentative Parcel Map to subdivide 20 acres of land into eight (8) lots within the Tuscana Village Specific Plan

LOCATION: Northwest corner of Milliken Avenue and Riverside Drive

APPLICANT: Orbis Real Estate Partners

REVIEWED BY:  10-9-20
Raymond Lee, P.E. Date
Assistant City Engineer

APPROVED BY:  10-9-20
Khoi Do, P.E. Date
City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:**
 - A. Riverside Dr to the ultimate half street right-of-way width of 54 feet along the project frontage from the westerly project frontage to "A" St
 - B. Riverside Dr to the ultimate half street right-of-way width of 64 feet along the project frontage from the "A" St to Milliken Ave
 - C. Developer/Applicant shall exercise reasonable effort to procure ultimate half street right-of-way of 54 feet of right-of-way on Riverside Dr along the property frontage of the existing nursery adjacent to the westerly project boundary. Right-of-way is required to construct street improvements required per COA 2.17, herein. Right-of-way shall be dedicated to the City from the property owner of the existing nursery adjacent to the westerly project boundary.
 - D. Milliken Ave to the ultimate half street right-of-way width of 71 feet along the project frontage
 - E. "A" St to the ultimate full street right-of-way width of 66 feet along the project frontage
 - F. Property line corner 'cut-back' required at all street intersections within the project boundaries. This includes, but is not limited to, the intersection of Milliken Ave and "B" St (private).

- 1.02 Dedicate to the City of Ontario, the following easement(s):**
 - A. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Riverside Dr west of "A" St.
 - B. 10 feet wide easement for sidewalk purposes behind the proposed bus turnout on Milliken Ave south of "B" St (private).
 - C. 25 feet wide easement for public utility purposes along "B" St (private) from "A" St to Milliken Ave. See COA 2.29A and 2.34B.
 - D. Easement for traffic signal purposes at the intersection of Milliken Ave and "B" St (private). Location and dimensions shall be determined during the plan check process.

- 1.03 Restrict vehicular access to the site as follows:** _____

- 1.04 Vacate the following street(s) and/or easement(s):**
 - A. All interfering on-site easements shall be quitclaimed, vacated, and/or submit non-interference letter from affected owner/utility company.

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.**



- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.

- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.

- 1.11 Provide a preliminary title report current to within 30 days.

- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.

- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).



- 1.14 Other conditions:**
- A. Obtain all off-site rights-of-way/easements necessary to construct the required public improvements identified within Section 2 of these Conditions of Approval.
 - B. Provide private easements for utilities, cross lot drainage, blanket emergency access and reciprocal access across all parcels in favor of all parcels (as needed).

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 20177 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____.**
- 2.05 Apply for a:** Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.**
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.**
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)



Other:

- **City of Eastvale – for any improvements encroaching into their right-of-way**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 New Model Colony (NMC) Developments:
- 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.
 - 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.
 - 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately \$389,850, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.16 **Other conditions:**
- A. **Obtain a private access easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**
 - B. **Obtain a temporary construction easement from the property owner at APN: 1083-361-04 for the proposed drive aisle along the northerly property lines of Parcels 2 and Parcel 3 prior to obtaining a grading permit. A recorded copy shall be provided to the City. The site plan will need to be redesigned if the easement cannot be obtained which may require a new submittal and re-entitlement.**



B. PUBLIC IMPROVEMENTS

(See attached Exhibit 'A' for plan check submittal requirements.)

- 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):**

Improvement	Riverside Drive	Milliken Avenue	"A" Street	"B" Street (private)
Curb and Gutter	<input checked="" type="checkbox"/> New; 42-52 ft. varies from C/L (A) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 58 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 20 ft. from C/L, east & west along project frontage <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 27-37 additional feet varies along frontage, including pavm't transitions (B, C)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 37 additional feet along frontage, including pavm't transitions (D)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; along project frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New (E) <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (F) <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input checked="" type="checkbox"/> New (F) <input checked="" type="checkbox"/> Trees (F) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (F)	<input checked="" type="checkbox"/> New (G) <input checked="" type="checkbox"/> Trees (G) <input checked="" type="checkbox"/> Landscaping (w/irrigation) (G)	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- A. 42 ft. from C/L (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 52 ft. from C/L (limits are from "A" St to Milliken Ave)
- B. 27 ft. additional widening (limits are approximately 275 feet west of the westerly project frontage to "A" St) and 37 ft. additional widening (limits are from "A" St to Milliken Ave)



- C. A raised landscape median is required on the south side. Please note, if the existing Riverside Dr pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- D. A raised landscape median is required on the east side (City of Eastvale may require additional improvements). Please note, if the existing Milliken Ave pavement is not consistent with current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- E. Required at the following proposed signalized intersections:
 - i. Milliken Ave and Riverside Dr
 - ii. Milliken Ave and "B" St (private)
- F. Limits are approximately 275 feet west of the westerly project frontage to Milliken Ave
- G. These improvements are partially in the City of Ontario and City of Eastvale.
- H. All master planned utilities shall be designed and installed to the ultimate condition.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A _____ inch sewer main is available for connection by this project in _____ (Ref: Sewer plan bar code: _____)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately 275 feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - A. Sewer Sub-Area Master Plans (SSAMP): The Conceptual Sewer Study dated 4/30/2020 is currently under review and has not been approved. Revise the Conceptual Sewer Study to include all public sewer infrastructure that will be designed by the project and convert it to a Final SSAMP pursuant to Section 4-8 of the Sewer Master Plan (SMP). The revised study shall demonstrate that the sewer criteria of the SMP (Sections 4-2 to 4-5) has been met and shall be submitted to OMUC for review and approval with the first submittal of the sewer plans and prior to issuance of any permits.
 - B. Install 8-inch sewer main (or approved size per Final SSAMP) in Riverside Dr, with a point of connection to the existing 10-inch sewer main on Riverside Dr west of the project boundary and extending north to Milliken Ave, then north on Milliken Avenue to the sewer service connection for Parcel 7.
 - C. Install 8-inch sewer main (or approved size per Final SSAMP) in "A" St, connecting to the new sewer main at the intersection of "A" St and Riverside Dr and extending north to the northerly project limits. See Conceptual Utility Systems Map, dated 09/17/2020 for



reference.

- D. All parcels shall have a separate sewer service connected to a public sewer main.
- E. Install sewer monitoring manhole for each proposed building per city standard 2203 at the immediate back of the property line, on private property and maintain a 10' pre and post straight pipe run. The pre and post pipe is to have the range slope from 0.4% to maximum 2.0%.

D. WATER

- 2.27 A 12-inch water main is available for connection by this project in Riverside Dr and an 18-inch water main is available for connection by this project in Milliken Ave. (Ref: Water plan bar code: W12297, W12299)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - A. Install a 12-inch water main in "A" St, with a point of connection to the existing 12-inch 1010PZ potable water main at the intersection of Riverside Dr and "A" St, and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to a point of connection to the existing 18-inch 1010PZ potable water main in Milliken Ave. See Conceptual Utility Systems Map, dated 09/17/2020 for reference.
 - B. Install a meter and backflow device for domestic water service. Install a double check detector assembly (DCDA) for the proposed fire service.

E. RECYCLED WATER

- 2.30 A _____ inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.
- 2.34 Other conditions:
 - A. Install 8-inch 1050 PZ recycled water main in Riverside Dr with a point of connection to the existing 8-inch recycled water main in Riverside Dr, west of the project boundary, and extending to the intersection of Milliken Ave and Riverside Dr.
 - B. Install 8-inch recycled water in "A" St connecting to the new recycled water main at the intersection of "A" St and Riverside Dr and extending north on "A" St to the northerly boundary of Parcel 2, then east within a new public easement along "B" St (private) to the service connection for Parcel 7. See Conceptual Utility Systems Map, dated 09/17/2020.
 - C. Install any additional public recycled water mains on Riverside Dr or Milliken Ave needed to provide recycled water service for Parcels 5 and 6 at the time of development of those parcels.



F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
- A. It is to be noted that the Riverside Dr street section from the "A" St to Milliken Ave requires additional right-of-way to accommodate the additional turn lanes based on The Ontario Plan enhanced intersection requirements for Riverside Dr and Milliken Ave.
 - B. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that the striping and median alignment is consistent along Milliken Ave through the intersection of Riverside Dr.
 - C. The proposed intersection of "B" St (private) shall be aligned with the drive approach on the east side of Milliken Ave.
 - D. Coordinate with Crow Development at the southwest corner of Riverside Dr and Hamner Ave to confirm that "A" St along Riverside Drive is correctly aligned with the development on the south side.
 - E. Design and construct a new traffic signal system at "B" St and Milliken Ave to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - F. Design and construct a new traffic signal system at "A" St and Riverside Dr to the satisfaction of the City Engineer. The new traffic signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location.
 - G. Design and construct modifications to the existing traffic signal on Milliken Ave and Riverside Dr. The traffic signal modification shall address relocation or upgrade of any affected equipment including poles, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 - H. Design and construct a raised median on Riverside Dr and Milliken Ave along the project frontage.
 - I. All project driveways, with exception of "A" St and "B" St (private), shall be limited to right-in/right-out access only. Design and construct signing and striping improvements to render said restriction enforceable.
 - J. Design and construct a bus turnout on Riverside Dr west of "A" St, in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - K. Design and construct a bus turnout on Milliken Ave south of "B" St (private), in accordance with Omnitrans guidelines, and to the satisfaction of the City Engineer. Sufficient right-of-way shall be dedicated to the City.
 - L. Modify signing and striping on Riverside Drive and Milliken Ave beyond project limits to accommodate frontage widening improvements
 - M. Riverside Dr shall be signed "No Parking Anytime". Milliken Ave shall be signed "No Stopping Anytime". "A" St shall be signed "No Stopping Anytime" along the property frontage. "B" St (private) shall be signed "No Stopping Anytime" along the property frontage.
 - N. Design and construct in-fill public street lights along project frontages of Riverside Dr, Milliken Ave, and "A" St in accordance with City of Ontario Standards and the Traffic and Transportation Design Guidelines, Section 1.4.
 - O. Engineer-of-record shall meet with City Engineering staff prior to starting



signing/stripping, street lighting, and signal design.

G. DRAINAGE / HYDROLOGY

- 2.38 A _____ inch storm drain main is available to accept flows from this project in _____, (Ref: Storm Drain plan bar code: _____)
- 2.39 **Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.**
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 **Other conditions:**
 - A. **Design and construct a 42" storm drain line on Riverside Dr from Milliken Ave to the westerly project limits connecting to existing 48" storm drain line.**
 - B. **Design and construct a 42" storm drain line on "A" St from the northerly project limits to Riverside Dr.**
 - C. **The existing 48" storm drain in Riverside Dr is currently not connected to the County Line Channel. The ultimate system in Mill Creek Avenue is not constructed at this time. In the interim, the Developer/Applicant shall design and construct a temporary storm drain system for storm water detention on-site, to the satisfaction of the City Engineer (See COA 2.40, above).**
 - D. **The temporary storm water detention system shall be a private system. The Developer/Applicant shall be responsible for maintaining the temporary system. A surety bond shall be provided to secure construction of the temporary system and a 10 year operations and maintenance period, or until the ultimate storm drain and connection to the County Line Channel is complete and the ultimate storm drain system becomes available.**

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted. Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.



- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Investment and Revenue Resources at (909) 395-2353 to initiate the CFD application process.
- 2.49 Other conditions: _____

K. FIBER OPTIC

- 2.50 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Limits of work are generally located along the project frontages of Riverside Dr, Milliken Ave, and "A" St.**
- 2.51 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

- 2.52 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**
- 2.53 **Other conditions:**
 - A. Integrated Waste and Organics Recycling: This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341 and the Integrated Waste Department.**
 - i. Organics Separation and Collection: Organic waste shall be diverted and collected separately from recycling and other refuse wastes.**
 - ii. Install a three (3) Bin Trash Enclosure (a separate 4CY bin for refuse, recycling, and organic waste) for each proposed building, at a minimum. Submit volumetric calculations with the SWHP for each proposed site in order to determine the actual numbers of bins and trash enclosures.**
 - B. Final Solid Waste Handling Plan (SWHP): Prior to issuance of any permits, submit a Final Solid Waste Handling Plan as part of the Precise Grading Plan submittal that meets all of the City's SWHP requirements for OMUC review and approval. The Final SWHP shall reflect any site design changes needed to comply the final conditions of**



- approval.
- C. **Final Integrated Waste Management Report (IWMR):** Prior to issuance of any permits, submit a Final IWMR with the Precise Grading Plan that meets all of the City's IWMR requirements for OMUC review and approval.

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (mylar and PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: PMTT19-018, PDEV19-059, PDEV20-012, PDEV20-013, and/or Parcel Map No. 20177

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. Other: _____

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 10, 2020
SUBJECT: PDEV20-013

-
- The plan **does** adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Address for this project will be 2910 S. Milliken Ave
2. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: June 29, 2020

SUBJECT: PDEV20-013 – A Development Plan to construct one commercial building totaling 2,490 square feet on 1.16 acres of land located approximately 600 feet north of Riverside Drive to the west of Milliken Ave, within the Commercial land use district of the Tuscana Village Specific Plan (APN(s): 1083-361-01). Related File(s): PSPA2019-010 & PMTT19-018.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V-B
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 2,490 Sq. Ft.
- D. Number of Stories: 1
- E. Total Square Footage: 2,490 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): M

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.
- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.8 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner

FROM: Officer Emily Hernandez, Police Department

DATE: June 19, 2020

SUBJECT: PDEV20-013 – A DEVELOPMENT PLAN TO CONSTRUCT A 2,490 SQUARE FOOT SINGLE STORY COMMERCIAL BUILDING (STARBUCKS COFFEE), 600 FEET NORTH OF RIVERSIDE DRIVE, WEST OF MILLIKEN AVENUE.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions.

In addition, the Ontario Police Department places the following conditions on the project:

- The Applicant shall install a video surveillance system on the site. Cameras shall cover at a minimum all entry doors, all cash registers, and at least one camera shall capture any vehicle utilizing the drive thru. Cameras shall be positioned so as to maximize the coverage of patrons and vehicles in these areas. Cameras shall record at least 15 frames per second and at a minimum of 640x480 lines of resolution. Recordings shall be stored for a minimum of 30 days and made available upon request to any member of the Ontario Police Department.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.

- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises for more than 72 hours. Abatement shall take the form of removal or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off

	09/22/2020
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PDEV20-013	Case Planner: Lorena Mejia
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Project Name and Location:

Starbucks
 NWC of Milliken Ave. and Riverside Dr.

Applicant/Representative:

Toscana Square, LLC c/o Orbis Real Estate Partners – Grant Ross gross@orbisrep.com
 280 Newport Center Drive, Suite 240
 Newport Beach, CA 92660

A Preliminary Landscape Plan (dated 09/08/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.

A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Show any storm water systems that connect with adjacent future development to the west. Locate underground detention outside of landscape areas. Current submittal shows the chambers in the landscape areas; does not match adjacent site plans.
2. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
3. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
4. Show backflow devices set back 4' from paving all sides. Locate on level grade
5. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
6. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
7. Add Note to Grading Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after

fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

8. Use Parkinsonia as accent trees and provide broad canopy shade trees in planter spaces adjacent to parking spaces.
9. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
11. Show corner ramp and sidewalk per city standard drawing 1213.
12. Provide preliminary MAWA calculations.
13. Limit Lantana to larger planter spaces (8'+ wide). Replace Phormium (short lived) with Dianella.
14. Show 6' diameter of mulch only at new trees. Detail irrigation dripline outside of mulched root zone.
15. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
16. After project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—less than 5 acres	\$1,561.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$600.00</u>
Total.....	\$2,161.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PGPA19-07,ZC19-02,PSPA19-10,PMTT19-18,PDEV19,059,20-12, 13&PCUP20-9
 Address: NWC of Riverside Drive and Milliken Avenue
 APN: 1083-361-01, 1083-361-04 & 1083-361-07
 Existing Land Use: Vacant/Agriculture/Winery and restaurant
 Proposed Land Use: GPA (ZC) from Mixed Use (SP, LDR-5 & CC) to GC (CC) & Ind (IL); SPA to rescind an SP; TPM sub. 20 acres into 7 parcels; PDEV for 3 Ind. & 2 Comm Bldgs
 Site Acreage: 41.35 acres Proposed Structure Height: 45 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Lorena Mejia
 Date: 4/6/16
 CD No.: 2020-014
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft plus</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____